

1 SB68  
2 205159-2  
3 By Senator Barfoot (Constitutional Amendment)  
4 RFD: Judiciary  
5 First Read: 02-FEB-21  
6 PFD: 01/25/2021

1 SB68

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4 ENROLLED, An Act,

5 Proposing an amendment to Section 6.06 of Amendment  
6 328, as amended by Amendment 364, of the Constitution of  
7 Alabama of 1901, now appearing as Section 144 of the Official  
8 Recompilation of the Constitution of Alabama of 1901, as  
9 amended, to delete a provision giving the probate court of  
10 each county general jurisdiction over orphans' business.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. The following amendment to the  
13 Constitution of Alabama of 1901, as amended, is proposed and  
14 shall become valid as a part thereof when approved by a  
15 majority of the qualified electors voting thereon and in  
16 accordance with Sections 284, 285, and 287 of the Constitution  
17 of Alabama of 1901, as amended:

18 PROPOSED AMENDMENT

19 Section 6.06 of Amendment 328, as amended by  
20 Amendment 364, of the Constitution of Alabama of 1901, now  
21 appearing as Section 144 of the Official Recompilation of the  
22 Constitution of Alabama of 1901, as amended, is amended to  
23 read as follows:

24 "Amendment 364.

25 "Section 6.06. Probate court.

1           "There shall be a probate court in each county ~~which~~  
2 that shall have general jurisdiction of ~~orphans' business, and~~  
3 ~~of adoptions,~~ and ~~with~~ the power to grant letters  
4 testamentary, and of administration, and of guardianships, and  
5 shall have such further jurisdiction as may be provided by  
6 law, provided, that whenever the circuit court has taken  
7 jurisdiction of the settlement of any estate, it shall have  
8 power to do all things necessary for the settlement of such  
9 estate, including the appointment and removal of  
10 administrators, executors, guardians, and trustees and  
11 including action upon the resignation of either of them."

12           END OF PROPOSED AMENDMENT.

13           Section 2. An election upon the proposed amendment  
14 shall be held in accordance with Sections 284 and 285 of the  
15 Constitution of Alabama of 1901, now appearing as Sections 284  
16 and 285 of the Official Recompilation of the Constitution of  
17 Alabama of 1901, as amended, and the election laws of this  
18 state.

19           Section 3. The appropriate election official shall  
20 assign a ballot number for the proposed constitutional  
21 amendment on the election ballot and shall set forth the  
22 following description of the substance or subject matter of  
23 the proposed constitutional amendment:

24           "Proposing an amendment to the Constitution of  
25 Alabama of 1901, to delete a provision giving the probate

1 court of each county general jurisdiction over orphans'  
2 business.

3 "Proposed by Act \_\_\_\_\_."

4 This description shall be followed by the following  
5 language:

6 "Yes ( ) No ( )."

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB68  
Senate 11-FEB-21  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 15-APR-21

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By: Senator Barfoot