

1 SB57
2 169853-1
3 By Senator Whatley (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 02-FEB-16
6 PFD: 01/26/2016

SYNOPSIS: Currently, the Constitution of Alabama of 1901, provides that no person may be elected or appointed to a judicial office after reaching the age of 70 years.

This bill would propose a local amendment to the Constitution of Alabama of 1901, relating to Tallapoosa County, to provide that a person who is not over the age of 72 when qualifying for election and a person who is not over the age of 72 at the time of appointment may be elected or appointed to the office of Judge of Probate of Tallapoosa County.

A BILL
TO BE ENTITLED
AN ACT

To propose and amendment to the Constitution of Alabama of 1901, relating to Tallapoosa County, to provide that a person who is not over the age of 72 at the time of

1 qualifying or appointment may be elected or appointed to the
2 office of Judge of Probate of Tallapoosa County.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. The following amendment to the
5 Constitution of Alabama of 1901, is proposed and shall become
6 valid as a part of the Constitution when all requirements of
7 this act are fulfilled:

8 PROPOSED AMENDMENT

9 Notwithstanding the provision of Section 6.16, as
10 added by Amendment 328 to the Constitution of Alabama of 1901,
11 now appearing as Section 155 of the Official Recompilation of
12 the Constitution of Alabama of 1901, as amended, a person who
13 is not over the age of 72 at the beginning time of qualifying
14 for election, or at the time of his or her appointment, may be
15 elected or appointed to the office of Judge of Probate of
16 Tallapoosa County.

17 Section 2. An election upon the proposed amendment
18 shall be held in accordance with Amendment 555 to the
19 Constitution of Alabama of 1901, now appearing as Section
20 284.01 of the Official Recompilation of the Constitution of
21 Alabama of 1901, as amended, and the election laws of this
22 state.

23 Section 3. The appropriate election official shall
24 assign a ballot number for the proposed constitutional
25 amendment on the election ballot and shall set forth the
26 following description of the substance or subject matter of
27 the proposed constitutional amendment:

1 "Relating to Tallapoosa County, proposing an
2 amendment to the Constitution of Alabama of 1901, to provide
3 that a person who is not over the age of 72 at the time of
4 qualifying or appointment may be elected or appointed to the
5 office of Judge of Probate of Tallapoosa County.

6 "Proposed by Act _____"

7 This description shall be followed by the following
8 language:

9 "Yes () No ()."