

1 HB63
2 164417-1
3 By Representative Polizos
4 RFD: Constitution, Campaigns and Elections
5 First Read: 03-MAR-15

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8 SYNOPSIS: Existing law provides the procedure for the
9 scheduling of a special election to fill a vacancy
10 in the office of senator or representative in the
11 Legislature.

12 This bill would provide that the Governor
13 shall call a special election to fill a vacancy in
14 the office of senator or representative in the
15 Legislature if the vacancy occurs prior to the last
16 day of the third regular session in any quadrennium
17 of the Legislature.

18
19 A BILL

20 TO BE ENTITLED

21 AN ACT

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23 To amend Section 17-15-1, Code of Alabama 1975,
24 relating to special elections; to provide that the Governor
25 shall fill a vacancy in the office of senator or
26 representative in the Legislature if the vacancy occurs prior

1 to the last day of the third regular session in any
2 quadrennium of the Legislature.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 17-15-1, Code of Alabama 1975, is
5 amended to read as follows:

6 "§17-15-1.

7 "Special elections are to be held in the following
8 cases:

9 "(1) When a vacancy occurs in the office of senator
10 or representative in the Legislature, ~~when the Legislature~~
11 ~~will be in session prior to the next general election for that~~
12 ~~office~~ prior to the end of the third regular session of the
13 Legislature in any quadrennium.

14 "(2) When a vacancy occurs in the office of
15 representative in the Congress of the United States, by which
16 the state may be deprived of its full representation at any
17 time Congress will be in session prior to the next general
18 election for that office.

19 "(3) Whenever any general or special election for
20 members of the Legislature or for representatives in Congress
21 is not held.

22 "(4) When any vacancy occurs in any state or county
23 office filled by election of the people not otherwise provided
24 for by the Constitution of Alabama of 1901, or laws of this
25 state.

26 "(5) In such other cases as are or may be provided
27 for by law."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law, if,
4 and only if, an amendment to the Constitution of Alabama of
5 1901, is ratified which authorizes the Governor to appoint a
6 person to fill a vacancy in the office of senator or
7 representative in the Legislature pursuant to this act.