

1 SB27
2 163393-2
3 By Senator Albritton (Constitutional Amendment)
4 RFD: Constitution, Ethics and Elections
5 First Read: 03-MAR-15
6 PFD: 02/09/2015

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To repeal existing Article X of the Constitution of
12 Alabama of 1901, relating to exemptions, and to add a new
13 Article X relating to exemptions of homesteads.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

21 PROPOSED AMENDMENT

22 I. Article X of the Constitution of Alabama of 1901,
23 is repealed.

24 II. Article X is added to the Constitution of
25 Alabama of 1901, to read as follows:

26 Article X. Exemptions from Forced Sale.

1 Section 204. Legislature to provide for exemptions
2 from forced sale; exemptions may be waived by written
3 document.

4 (a) The Legislature shall provide for the exemption
5 of homesteads, personal property, and other property from the
6 forced sale for the payment of debt, in an amount and under
7 conditions to be set by general law.

8 (b) The rights of exemption provided by the
9 Legislature from time to time may be waived by an instrument
10 in writing, and if the waiver relates to real property, the
11 instrument shall be signed by the person granting the waiver
12 and attested by one witness.

13 III. This amendment shall become operative on
14 January 1, 2017.

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

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

26 "Proposing an amendment to the Constitution of
27 Alabama of 1901, to become operative January 1, 2017, to

1 repeal and replace Article X, Exemptions from Forced Sale, to
2 make technical changes; and to repeal certain outdated
3 sections.

4 "Proposed by Act _____."

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

7 "Yes () No ()."

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Senate

Read for the first time and referred to the Senate
committee on Constitution, Ethics and Elections .. 03-MAR-15

Read for the second time and placed on the calen-
dar 1 amendment..... 18-MAR-15

Read for the third time and passed as amended 09-APR-15

Yeas 31
Nays 0

Patrick Harris
Secretary