

1 SB222
2 156376-1
3 By Senators Pittman, Orr, Fielding, Holley, Dial, McGill,
4 Scofield, Reed, Hightower, Waggoner, Beason, Glover and
5 Bussman (Constitutional Amendment)
6 RFD: Constitution, Campaign Finance, Ethics, and Elections
7 First Read: 21-JAN-14

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8 SYNOPSIS: This bill would propose a constitutional
9 amendment to require members of the Alabama
10 Legislature to be tested if there exists a
11 reasonable suspicion that the person might be using
12 controlled substances.

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14 A BILL
15 TO BE ENTITLED
16 AN ACT
17

18 Proposing an amendment to Section 47 of the
19 Constitution of Alabama of 1901, now appearing as Section 47
20 of the Official Recompilation of the Constitution of Alabama
21 of 1901, as amended, to further require members of the Alabama
22 Legislature to be tested if there exists a reasonable
23 suspicion that the person might be using controlled
24 substances.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The following amendment to the
27 Constitution of Alabama of 1901 is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 Section 47 of the Constitution of Alabama of 1901,
5 is amended to read as follows:

6 "Section 47.

7 "(a) Senators shall be at least twenty-five years of
8 age, and representatives twenty-one years of age at the time
9 of their election. They shall have been citizens and residents
10 of this state for three years and residents of their
11 respective counties or districts for one year next before
12 their election, if such county or district shall have been so
13 long established; but if not, then of the county or district
14 from which the same shall have been taken; and they shall
15 reside in their respective counties or districts during their
16 terms of office.

17 "(b) Any person elected to the Alabama Legislature,
18 upon being sworn into office, shall be subjected to periodic
19 drug screenings upon such intervals as the legislative body
20 determines appropriate. All costs associated with the
21 screenings shall be the responsibility of the person being
22 tested. Any positive test result shall be referred to the
23 appropriate legislative committee governing the internal
24 affairs of the body to which the legislator was elected."

25 Section 2. An election upon the proposed amendment
26 shall be held in accordance with Sections 284 and 285 of the
27 Constitution of Alabama of 1901, now appearing as Sections 284

1 and 285 of the Official Recompilation of the Constitution of
2 Alabama of 1901, as amended, and the election laws of this
3 state.

4 Section 3. The appropriate election official shall
5 assign a ballot number for the proposed constitutional
6 amendment on the election ballot and shall set forth the
7 following description of the substance or subject matter of
8 the proposed constitutional amendment:

9 "Proposing an amendment to the Constitution of
10 Alabama of 1901, to require to require members of the Alabama
11 Legislature to be tested if there existed a reasonable
12 suspicion that the person might be using controlled
13 substances.

14 "Proposed by Act _____."

15 This description shall be followed by the following
16 language:

17 "Yes () No ()."