

1 HB206
2 135921-1
3 By Representative Jackson (Constitutional Amendment)
4 RFD: Constitution, Campaigns and Elections
5 First Read: 07-FEB-12

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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to propose a
10 procedure of initiative in which electors petition
11 for legislative initiatives to adopt general law or
12 constitutional amendments or referendum petitions
13 to repeal general law.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 To propose an amendment to the Constitution of
20 Alabama of 1901, to provide for a process to petition for
21 initiative to propose new general law and amend the
22 Constitution of Alabama of 1901 or referendum to repeal
23 existing general law.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The following amendment to the
26 Constitution of Alabama of 1901, as amended, is proposed and
27 shall become valid as a part thereof when approved by a

1 majority of the qualified electors voting thereon and in
2 accordance with Sections 284, 285, and 287 of the Constitution
3 of Alabama of 1901, as amended:

4 PROPOSED AMENDMENT

5 (a) Citizens may propose new general law and may
6 propose amendments to the Constitution of Alabama of 1901, by
7 the initiative.

8 (b) Citizens may propose the repeal of existing
9 general law by the referendum.

10 (c) In order to qualify an initiative or referendum
11 petition, the following shall occur:

12 (1) A preliminary version of the proposed petition
13 shall be filed with the Secretary of State.

14 (2) The Secretary of State shall review the petition
15 language and certify that the petition conforms to all
16 requirements of this amendment and any enabling legislation.

17 (3) The Attorney General shall prepare the title and
18 language of the initiative or referendum.

19 (d) An initiative petition to propose to add or
20 amend general law or a referendum provision to repeal existing
21 law shall contain signatures of a number of registered voters
22 totaling at least five percent of the votes cast in the most
23 recent gubernatorial election.

24 (e) An initiative petition calling for a
25 constitutional amendment shall contain signatures of
26 registered voters totaling at least 10 percent of the votes
27 cast in the most recent general gubernatorial election.

1 (f) No more than 25 percent of the total signatures
2 for an initiative or referendum petition may be of residents
3 of any one county.

4 (g) The Secretary of State shall verify receipt of a
5 sufficient number of registered voters' signatures to qualify
6 an initiative or referendum.

7 (h) An initiative or referendum that qualifies shall
8 be placed on the next statewide general election ballot that
9 occurs 90 days or more after the Secretary of State has
10 approved the petition.

11 (i) The Legislature may enact general law consistent
12 with this amendment to implement this 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 provide a procedure of initiative and
26 referendum in which electors may propose legislation.

27 "Proposed by Act _____."

1 This description shall be followed by the following
2 language:
3 "Yes () No ()."