

1 HB551
2 138847-1
3 By Representative Mitchell
4 RFD: Constitution, Campaigns and Elections
5 First Read: 15-MAR-12

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8 SYNOPSIS: This bill would provide that a person who
9 has been elected to the Alabama Legislature may not
10 be appointed to a cabinet level position in the
11 Governor's office nor employed by any other branch
12 of state government, any department, agency, board,
13 or commission of the state, or any public
14 educational institution including, but not limited
15 to, a local board of education, a two-year
16 institution of higher education, or a four-year
17 institution of higher education within two years
18 from the date that the person ceased being a member
19 of the Legislature.

20 This bill would also provide for enforcement
21 by the Attorney General.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 To provide that a person who has been elected to the
2 Alabama Legislature may not be appointed to a cabinet level
3 position in the Governor's office nor employed by any other
4 branch of state government, any department, agency, board, or
5 commission of the state, or any public educational institution
6 including, but not limited to, a local board of education, a
7 two-year institution of higher education, or a four-year
8 institution of higher education within two years from the date
9 that the person ceased being a member of the Legislature; and
10 to provide for enforcement by the Attorney General.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) Notwithstanding any provision of law,
13 a person who has been elected to the Alabama Legislature may
14 not be appointed to a cabinet level position in the Governor's
15 office nor employed by any other branch of state government,
16 any department, agency, board, or commission of the state, or
17 any public educational institution including, but not limited
18 to, a local board of education, a two-year institution of
19 higher education, or a four-year institution of higher
20 education during the term to which he or she was elected or
21 within two years from the date that the person ceased being a
22 member of the Legislature.

23 (b) Any employment or contract that violates
24 subsection (a) is void.

25 (c) A person shall be personally liable to the State
26 of Alabama for the amount of any employment compensation
27 received in violation of subsection (a).

1 (d) The Attorney General shall enforce this section.
2 Section 2. This act shall become effective on the
3 first day of the third month following its passage and
4 approval by the Governor, or its otherwise becoming law.