

1 HJR52
2 215715-2
3 By Representatives Coleman, McCutcheon, Daniels, Garrett,
4 Robbins and Drummond
5 RFD: Rules
6 First Read: 09-FEB-22

8 ADOPTING THE PROPOSED CONSTITUTION OF ALABAMA OF
9 2022 AND PROPOSING RATIFICATION AT THE 2022 GENERAL ELECTION.
10

11 WHEREAS, Amendment 951 to the Constitution of
12 Alabama of 1901, ratified on November 3, 2020, requires the
13 Director of the Legislative Services Agency, during the 2022
14 Regular Session, to propose a draft Constitution of Alabama of
15 2022, which is a recompilation of the Constitution of Alabama
16 of 1901, arranging the constitution in proper articles, parts,
17 and sections, removing all racist language, deleting
18 duplicative and repealed provisions, consolidating provisions
19 regarding economic development, arranging all local amendments
20 by county of application, and making no other changes; and

21 WHEREAS, the Joint Interim Legislative Committee on
22 the Recompilation of the Constitution was created by Act
23 2021-523 to assist in the revision of the Constitution of
24 Alabama of 1901, receive input from the public regarding the
25 revision, and collaborate with the Director of the Legislative
26 Services Agency in the preparation of a proposed draft of the
27 constitution, as required by Amendment 951; and

1 WHEREAS, the Joint Interim Legislative Committee on
2 the Recompilation of the Constitution was comprised of
3 Representative Merika Coleman, Chair, Senator Arthur Orr, Vice
4 Chair, Representative Danny Garrett, Senator Sam Givhan,
5 Representative Ben Robbins, Senator Rodger Smitherman, Ms.
6 Anita Archie, Mr. Greg Butrus, Mr. Stan Gregory, and Mr. Al
7 Vance; and

8 WHEREAS, during 2021, the Joint Interim Legislative
9 Committee on the Recompilation of the Constitution held
10 numerous public meetings to discuss the proposed recompilation
11 of the constitution, received input from the public, and
12 collaborated with the Director of the Legislative Services
13 Agency in the preparation of the proposed draft recompilation
14 of the constitution; at its November 3, 2021, meeting, the
15 committee unanimously voted to adopt the draft recommended by
16 the director; and

17 WHEREAS, the proposed Constitution of Alabama of
18 2022 uses as its base the statutory recompilation of the
19 Alabama Constitution of 1901, authorized by Act 2003-312 and
20 appearing as Volumes 1 and 2 of the Code of Alabama 1975 for
21 over 15 years; and

22 WHEREAS, the final draft of the proposed
23 Constitution of Alabama of 2022 is available for review on the
24 website of the Legislature and the Secretary of State and has
25 been made available to any state agency, county, or
26 municipality for posting in accordance with Amendment 951; now
27 therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
HOUSES THEREOF CONCURRING, That

(a) The proposed Constitution of Alabama of 2022, prepared by the Director of the Legislative Services Agency, with advice and recommendations from the Joint Interim Legislative Committee on the Recompilation of the Constitution, as well as members of the public through that process, complies with Amendment 951 to the Constitution of Alabama of 1901, and only arranges the Constitution of Alabama of 1901 into proper articles, parts, and sections, removes racist language, deletes duplicative and repealed provisions, consolidates provisions regarding economic development, arranges all local amendments to the constitution by county of application, and makes no other changes.

(b) In accordance with Amendment 951 to the Constitution of Alabama of 1901, the draft Constitution of Alabama of 2022, proposed by the Director of the Legislative Services Agency with advice and recommendations from the Joint Interim Legislative Committee on the Recompilation of the Constitution, is hereby adopted and incorporated by reference herein.

(c) The proposed Constitution of Alabama of 2022 shall be submitted to the qualified electors of this state for ratification pursuant to Amendment 714 of the Constitution of Alabama of 1901, now appearing as Section 286.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and Amendment 951 to the Constitution of Alabama

1 of 1901, except that the text of the proposed Constitution of
2 Alabama of 2022 shall be published on the public website of
3 the Secretary of State and the website of the Legislature and
4 shall be made available, without cost, to any agency of the
5 state or a municipality or county in the state that operates a
6 public access website for publication on the website at their
7 request.

8 (d) Upon ratification of the proposed Constitution
9 of Alabama of 2022 by a majority of the qualified electors of
10 this state voting on the question of the ratification in
11 accordance with Amendment 951, this resolution, and the
12 election laws of this state, the Constitution of Alabama of
13 2022 shall succeed the Constitution of Alabama of 1901, as the
14 supreme law of this state in accordance with Amendment 951.

15 (e) An election upon the proposed Constitution of
16 Alabama of 2022 shall be held at the 2022 general election, at
17 which time the officers of the general election shall open a
18 poll for the vote of the qualified electors upon the
19 ratification of the proposed constitution. The Secretary of
20 State shall place the question of ratification on the election
21 ballot and shall set forth the following description:

22 "Proposing adoption of the Constitution of Alabama
23 of 2022, which is a recompilation of the Constitution of
24 Alabama of 1901, prepared in accordance with Amendment 951,
25 arranging the constitution in proper articles, parts, and
26 sections, removing racist language, deleting duplicated and
27 repealed provisions, consolidating provisions regarding

1 economic development, arranging all local amendments by county
2 of application, and making no other changes."

3 This description shall be followed by the following
4 language:

5 "Yes () No ()."