

1 HJR88  
2 218003-1  
3 By Representatives Coleman, McCutcheon, Garrett, Robbins,  
4 Drummond and Daniels  
5 RFD: Rules  
6 First Read: 22-FEB-22

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

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duplicative and repealed provisions, consolidating provisions  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

WHEREAS, the Joint Interim Legislative Committee on  
the Recompilation of the Constitution was created by Act  
2021-523 to assist in the revision of the Constitution of  
Alabama of 1901, receive input from the public regarding the  
revision, and collaborate with the Director of the Legislative  
Services Agency in the preparation of a proposed draft of the  
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,

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

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11                  racist language, deletes duplicative and repealed provisions,  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

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

22                  (c) The proposed Constitution of Alabama of 2022  
23                  shall be submitted to the qualified electors of this state for  
24                  ratification pursuant to Amendment 714 of the Constitution of  
25                  Alabama of 1901, now appearing as Section 286.01 of the  
26                  Official Recompilation of the Constitution of Alabama of 1901,  
27                  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 ( )."