

1 HB3
2 113200-1
3 By Representatives Canfield, Ward, Hill, Drake, Moore (P),
4 McCutcheon, Love, Ball, Hubbard, Allen, DeMarco, Williams (J)
5 and Gaston (Constitutional Amendment)
6 RFD: Constitution and Elections
7 First Read: 12-JAN-10
8 PFD: 09/23/2009

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8 SYNOPSIS: This bill would propose an amendment to
9 Amendment 579 to the Constitution of Alabama of
10 1901, now appearing as Section 177 of the Official
11 Recompilation of the Constitution of Alabama of
12 1901, as amended, to provide that the right of
13 individuals to vote for public office, public votes
14 on referenda, or votes of employee representation
15 by secret ballot is fundamental.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To propose an amendment to Amendment 579 to the
22 Constitution of Alabama of 1901, now appearing as Section 177
23 of the Official Recompilation of the Constitution of Alabama
24 of 1901, as amended, to provide that the right of individuals
25 to vote for public office, public votes on referenda, or votes
26 of employee representation by secret ballot is fundamental.
27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The following amendment to the
2 Constitution of Alabama of 1901, as amended, is proposed and
3 shall become valid as a part thereof when approved by a
4 majority of the qualified electors voting thereon and in
5 accordance with Sections 284, 285, and 287 of the Constitution
6 of Alabama of 1901, as amended:

7 PROPOSED AMENDMENT

8 "Sec. 177. Suffrage and Elections

9 "(a) Every citizen of the United States who has
10 attained the age of eighteen years and has resided in this
11 state and in a county thereof for the time provided by law, if
12 registered as provided by law, shall have the right to vote in
13 the county of his or her residence. The Legislature may
14 prescribe reasonable and nondiscriminatory requirements as
15 prerequisites to registration for voting. The Legislature
16 shall, by statute, prescribe a procedure by which eligible
17 citizens can register to vote.

18 "(b) No person convicted of a felony involving moral
19 turpitude, or who is mentally incompetent, shall be qualified
20 to vote until restoration of civil and political rights or
21 removal of disability.

22 "(c) The Legislature shall by law provide for the
23 registration of voters, absentee voting, secrecy in voting,
24 the administration of elections, and the nomination of
25 candidates.

26 "(d) The right of individuals to vote by secret
27 ballot is fundamental. Where state or federal law requires

1 elections for public office or public votes on referenda, or
2 designations or authorizations of employee representation, the
3 right of individuals to vote by secret ballot shall be
4 guaranteed."

5 Section 2. An election upon the proposed amendment
6 shall be held in accordance with Sections 284 and 285 of the
7 Constitution of Alabama of 1901, now appearing as Sections 284
8 and 285 of the Official Recompilation of the Constitution of
9 Alabama of 1901, as amended, and the election laws of this
10 state.

11 Section 3. The appropriate election official shall
12 assign a ballot number for the proposed constitutional
13 amendment on the election ballot and shall set forth the
14 following description of the substance or subject matter of
15 the proposed constitutional amendment:

16 "Proposing an amendment to the Constitution of
17 Alabama of 1901, to amend Amendment 579 to the Constitution of
18 Alabama of 1901, now appearing as Section 177 of the Official
19 Recompilation of the Constitution of Alabama of 1901, as
20 amended, to provide that the right of individuals to vote for
21 public office, public votes on referenda, or votes of employee
22 representation by secret ballot is fundamental.

23 "Proposed by Act _____."

24 This description shall be followed by the following
25 language:

26 "Yes () No ()."