SB30
163925-1
By Senator Coleman (Constitutional Amendment)
RFD: Constitution, Ethics and Elections
First Read: 03-MAR-15
PFD: 02/09/2015
ENROLLED, An Act,

To repeal Amendments 425 and 555 to the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to local constitutional amendments, and to a new add Section 284.01 to Article XVIII of the Constitution of Alabama of 1901, providing for local constitutional amendments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

PROPOSED AMENDMENT

I. Amendments 425 and 555 to the Constitution of Alabama of 1901, are repealed.

II. Section 284.01 is added to the Constitution of Alabama of 1901, to read as follows:

Section 284.01. (a) The Legislature shall determine whether a proposed constitutional amendment affects or applies
to only one county or a political subdivision within one or more counties under the procedures set out herein. If the Legislature determines that a proposed constitutional amendment affects or applies to only one county or a political subdivision within one or more counties, the amendment may be adopted as a valid part of the constitution only by a favorable vote of a majority of the qualified electors of the affected county or, if applicable, the political subdivision and the county or counties in which the political subdivision is located, who vote on the amendment as provided in subsections (b) and (c). If the Legislature fails to determine that a proposed constitutional amendment affects or applies to only one county or a political subdivision within one or more counties pursuant to the procedures set out in subsection (b), the amendment may be adopted as a valid part of the constitution only by a favorable vote of a majority of the qualified electors who vote on the amendment in a statewide referendum, as provided in subsection (d), and a majority of the qualified voters of the affected county or counties voting on the amendments, as provided in subsection (d).

(b) To determine whether a proposed amendment shall be placed on the ballot in only one county or a political subdivision within one or more counties and the affected county or counties, as provided in subsection (a), the
proposed amendment shall be approved by each house of the Legislature under the following process:

(1) The proposed amendment must first be approved, if at all, by at least three-fifths of all the members elected to the house in which it originates.

(2) Immediately following approval under subdivision (1), the house shall consider a resolution of local application declaring that the proposed amendment affects or applies to only one county or a political subdivision within one or more counties specifying by proper name the county or the political subdivision and the county or counties within which the political subdivision is located.

(3) The proposed amendment shall then be sent to the other house for consideration and, if at least three-fifths of all the members elected to that house vote in favor of the proposed amendment, that house shall likewise immediately proceed to consider a resolution of local application as provided in subdivision (2).

In the event that both houses of the Legislature approve the amendment by at least a three-fifths vote of their elected members and also determine by vote without dissent that the proposed amendment affects or applies to only one county or a political subdivision within one or more counties, the proposed amendment shall be placed on the ballot only in
the county or political subdivision and county or counties affected.

(c) If after having been approved by at least a three-fifths vote of the elected members of either house of the Legislature, there is at least one dissenting vote cast on the resolution in either house on the question of whether the proposed amendment affects or applies to only one county or only to a political subdivision within one or more counties, the proposed amendment shall automatically be submitted in a statewide referendum in accordance with the procedures for proposed statewide constitutional amendments under Sections 284 and 285 of the Constitution of Alabama of 1901. If the proposed amendment is submitted in a statewide referendum, it shall not become effective unless approved by a majority of the qualified voters voting on the amendment statewide and a majority of the voters of any county or political subdivision named in the resolution voting on the amendment.

(d) Notice of the election, together with the proposed amendment, shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in each newspaper qualified to run legal notices in the county or counties affected.

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the

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

"Proposing an amendment to the Constitution of Alabama of 1901, to revise the procedure for adoption of local constitutional amendments to provide that a proposed constitutional amendment the Legislature determines without a dissenting vote applies to only one county or a political subdivision within one or more counties shall be adopted as a valid part of the constitution by a favorable vote of a majority of the qualified electors of the affected county or the political subdivision and county or counties in which the political subdivision is located, who vote on the amendment.

"Proposed by Act ________." This description shall be followed by the following language:

"Yes ( ) No ( )."
President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB30
Senate 12-MAR-15
I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 14-APR-15

By: Senator Coleman