SB247

197550-1

By Senator McClendon

RFD: Governmental Affairs

First Read: 09-APR-19
SYNOPSIS: Under existing law, any legal action contesting the validity of any redistricting or reapportionment plan for both houses of the Legislature, United States Congress, State Board of Education, or any other statewide plan must be commenced in the Circuit Court of Montgomery County.

This bill would allow the Permanent Legislative Committee on Reapportionment to intervene in the legal action contesting the redistricting or reapportionment plan and would express the intent of the Legislature for the committee to seek intervention in actions in federal court as appropriate.

A BILL TO BE ENTITLED
AN ACT
Relating to reapportionment; to amend Section 29-1-2.5, Code of Alabama 1975, to authorize the Permanent Legislative Committee on Reapportionment to intervene in any legal action that contests the validity of any redistricting or reapportionment plan; and express the intent of the Legislature for the committee to seek intervention in federal court as appropriate.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 29-1-2.5, Code of Alabama 1975, is amended to read as follows:

"§29-1-2.5.

(a) Any legal action which contests the validity of any redistricting or reapportionment plan, or any portion of any such plan, for the state Senate, state House of Representatives, United States Congress, State Board of Education, or any other statewide redistricting or reapportionment plan, or portion of any other statewide plan, enacted by the Legislature, shall be commenced in the Circuit Court of Montgomery County.

(b) Any legal action pending in any court other than the Circuit Court of Montgomery County on July 3, 2001, which contests the validity of any redistricting or reapportionment plan, or any portion of any such plan, for the state Senate, state House of Representatives, United States Congress, State Board of Education, or any other statewide redistricting or reapportionment plan, or portion of any other statewide plan, enacted by the Legislature, shall be
transferred to or re-filed in the Circuit Court of Montgomery County.

"(c)(1) The Permanent Legislative Committee on Reapportionment may intervene in any legal action which contests the validity of any redistricting or reapportionment plan, or any portion of a plan.

(2) In addition to intervention by the committee in actions in state courts, it is the intent of the Legislature that, in order to protect and assert the interests of the Permanent Legislative Committee on Reapportionment relating to the development and adoption of redistricting and reapportionment plans, and to defend such plans, that the committee seek intervention as appropriate in any action in federal court contesting the validity of any redistricting or reapportionment plan."

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.