

1 SB247
2 197550-1
3 By Senator McClendon
4 RFD: Governmental Affairs
5 First Read: 09-APR-19

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8 SYNOPSIS: Under existing law, any legal action
9 contesting the validity of any redistricting or
10 reapportionment plan for both houses of the
11 Legislature, United States Congress, State Board of
12 Education, or any other statewide plan must be
13 commenced in the Circuit Court of Montgomery
14 County.

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

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23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 Relating to reapportionment; to amend Section
2 29-1-2.5, Code of Alabama 1975, to authorize the Permanent
3 Legislative Committee on Reapportionment to intervene in any
4 legal action that contests the validity of any redistricting
5 or reapportionment plan; and express the intent of the
6 Legislature for the committee to seek intervention in federal
7 court as appropriate. .

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

11 "§29-1-2.5.

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

20 "(b) Any legal action pending in any court other
21 than the Circuit Court of Montgomery County on July 3, 2001,
22 which contests the validity of any redistricting or
23 reapportionment plan, or any portion of any ~~such~~ plan, for the
24 state Senate, state House of Representatives, United States
25 Congress, State Board of Education, or any other statewide
26 redistricting or reapportionment plan, or portion of any other
27 statewide plan, enacted by the Legislature, shall be

1 transferred to or re-filed in the Circuit Court of Montgomery
2 County.

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

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

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