

1 SB313
2 211378-1
3 By Senators Whatley and Price
4 RFD: Finance and Taxation General Fund
5 First Read: 09-MAR-21

8 SYNOPSIS: This bill would create an additional circuit
9 judgeship, designated Circuit Judgeship Number 8,
10 in the Twenty-third Judicial Circuit comprised of
11 Madison County, an additional circuit judgeship in
12 the Nineteenth Judicial Circuit comprised of
13 Autauga, Chilton, and Elmore Counties designated as
14 Circuit Judgeship No. 4, an additional circuit
15 judgeship, designated Circuit Judgeship Number 6,
16 in the Twenty-eighth Judicial Circuit comprised of
17 Baldwin County, and an additional circuit
18 judgeship, designated Circuit Judgeship Number 4,
19 in the Thirty-seventh Judicial Circuit comprised of
20 Lee County. This bill would provide for the
21 authority of the judges, and for the compensation
22 and benefits of the judges.

23 This bill would also further provide for the
24 reallocation of circuit judgeships by the Judicial
25 Resources Allocation Commission.

27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 To provide for an additional circuit judgeship in
5 the Twenty-third Judicial Circuit comprised of Madison County;
6 to provide for an additional circuit judgeship in the
7 Nineteenth Judicial Circuit comprised of Autauga, Chilton, and
8 Elmore Counties; to provide for an additional circuit
9 judgeship in the Twenty-eighth Judicial Circuit comprised of
10 Baldwin County; to provide for an additional circuit judgeship
11 in the Thirty-seventh Judicial Circuit comprised of Lee
12 County; to further provide for reallocation of vacant circuit
13 judgeships; to provide for the termination of certain
14 judgeships; and to repeal Section 12-9A-5, Code of Alabama
15 1975, relating to the Judicial Weighted Caseload Study.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. (a) There is created an additional
18 circuit judgeship for the Twenty-third Judicial Circuit which
19 shall be designated Circuit Judgeship Number 8.

20 (b) There is created an additional circuit judgeship
21 for the Nineteenth Judicial Circuit which shall be designated
22 as Circuit Judgeship Number 4.

23 (c) There is created an additional circuit judgeship
24 for the Twenty-eighth Judicial Circuit which shall be
25 designated as Circuit Judgeship Number 6.

1 (d) There is created an additional circuit judgeship
2 for the Thirty-seventh Judicial Circuit which shall be
3 designated as Circuit Judgeship Number 4.

4 Section 2. (a) Circuit Judgeship Number 8 in the
5 Twenty-third Judicial Circuit, Circuit Judgeship Number 4 in
6 the Nineteenth Judicial Circuit, Circuit Judgeship Number 6 in
7 the Twenty-eighth Judicial Circuit, and Circuit Judgeship
8 Number 4 in the Thirty-seventh Judicial Circuit shall be
9 filled in the manner appropriate to fill a vacancy in their
10 respective circuits, effective October 1, 2021.

11 (b) The first judges appointed to the additional
12 circuit judgeships pursuant to subsection (a) shall serve
13 pursuant to Amendment 950 now appearing as Section 153 of the
14 Official Recompilation of the Constitution of Alabama of 1901,
15 as amended.

16 (c) The judges appointed to the additional circuit
17 judgeship pursuant to subsection (a) shall have and shall
18 exercise all the jurisdiction, power, rights, and authority
19 and shall possess all of the qualifications, perform all of
20 the duties, and shall be subject to all of the
21 responsibilities and duties of the office to which other
22 circuit judges are subject.

23 Section 3. The annual compensation of the circuit
24 judges serving pursuant to Section 2 shall be in accordance
25 with Chapter 10A of Title 12, Code of Alabama 1975, including,
26 but not limited to, the provision that no circuit judge first

1 elected or appointed to office after October 1, 2001, shall be
2 provided a salary supplement or expense allowance.

3 Section 4. Effective January 16, 2023, or at any
4 point prior if the position is vacated, the Circuit Judgeships
5 in Place 16 and Place 21 of the 10th Judicial Circuit, are
6 terminated.

7 Section 5. Notwithstanding Section 12-9A-2, Code of
8 Alabama 1975, or any other law to the contrary, the Judicial
9 Resources Allocation Commission shall reallocate the first
10 circuit judgeship that becomes vacant after the effective date
11 of this act as provided under existing law. The commission may
12 not reallocate the second circuit judgeship that becomes
13 vacant after the effective date of this act and that judgeship
14 shall terminate. Thereafter, the commission may reallocate any
15 subsequent circuit judgeship that becomes vacant as provided
16 under existing law.

17 Section 6. Section 12-9A-5, Code of Alabama 1975,
18 relating to the Judicial Weighted Caseload Study, is repealed.

19 Section 7. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.