SB68

205159-2

By Senator Barfoot (Constitutional Amendment)

RFD: Judiciary

First Read: 02-FEB-21

PFD: 01/25/2021
ENROLLED, An Act,

Proposing an amendment to Section 6.06 of Amendment 328, as amended by Amendment 364, of the Constitution of Alabama of 1901, now appearing as Section 144 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to delete a provision giving the probate court of each county general jurisdiction over orphans' business.

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

Section 6.06 of Amendment 328, as amended by Amendment 364, of the Constitution of Alabama of 1901, now appearing as Section 144 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, is amended to read as follows:

"Amendment 364.

"Section 6.06. Probate court."
"There shall be a probate court in each county which shall have general jurisdiction of orphans' business, and of adoptions, and with the power to grant letters testamentary, and of administration, and of guardianships, and shall have such further jurisdiction as may be provided by law, provided, that whenever the circuit court has taken jurisdiction of the settlement of any estate, it shall have power to do all things necessary for the settlement of such estate, including the appointment and removal of administrators, executors, guardians, and trustees and including action upon the resignation of either of them."

END OF PROPOSED AMENDMENT.

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

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 delete a provision giving the probate
court of each county general jurisdiction over orphans' business.

"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

SB68
Senate 11-FEB-21
I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 15-APR-21

By: Senator Barfoot