

1 SB30  
2 163925-1  
3 By Senator Coleman (Constitutional Amendment)  
4 RFD: Constitution, Ethics and Elections  
5 First Read: 03-MAR-15  
6 PFD: 02/09/2015

1 SB30

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4 ENROLLED, An Act,

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

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

19 PROPOSED AMENDMENT

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21 Alabama of 1901, are repealed.

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

24 Section 284.01. (a) The Legislature shall determine  
25 whether a proposed constitutional amendment affects or applies

1 to only one county or a political subdivision within one or  
2 more counties under the procedures set out herein. If the  
3 Legislature determines that a proposed constitutional  
4 amendment affects or applies to only one county or a political  
5 subdivision within one or more counties, the amendment may be  
6 adopted as a valid part of the constitution only by a  
7 favorable vote of a majority of the qualified electors of the  
8 affected county or, if applicable, the political subdivision  
9 and the county or counties in which the political subdivision  
10 is located, who vote on the amendment as provided in  
11 subsections (b) and (c). If the Legislature fails to determine  
12 that a proposed constitutional amendment affects or applies to  
13 only one county or a political subdivision within one or more  
14 counties pursuant to the procedures set out in subsection (b),  
15 the amendment may be adopted as a valid part of the  
16 constitution only by a favorable vote of a majority of the  
17 qualified electors who vote on the amendment in a statewide  
18 referendum, as provided in subsection (d), and a majority of  
19 the qualified voters of the affected county or counties voting  
20 on the amendments, as provided in subsection (d).

21 (b) To determine whether a proposed amendment shall  
22 be placed on the ballot in only one county or a political  
23 subdivision within one or more counties and the affected  
24 county or counties, as provided in subsection (a), the

1 proposed amendment shall be approved by each house of the  
2 Legislature under the following process:

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

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

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

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

1 the county or political subdivision and county or counties  
2 affected.

3 (c) If after having been approved by at least a  
4 three-fifths vote of the elected members of either house of  
5 the Legislature, there is at least one dissenting vote cast on  
6 the resolution in either house on the question of whether the  
7 proposed amendment affects or applies to only one county or  
8 only to a political subdivision within one or more counties,  
9 the proposed amendment shall automatically be submitted in a  
10 statewide referendum in accordance with the procedures for  
11 proposed statewide constitutional amendments under Sections  
12 284 and 285 of the Constitution of Alabama of 1901. If the  
13 proposed amendment is submitted in a statewide referendum, it  
14 shall not become effective unless approved by a majority of  
15 the qualified voters voting on the amendment statewide and a  
16 majority of the voters of any county or political subdivision  
17 named in the resolution voting on the amendment.

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

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

1 Constitution of Alabama of 1901, now appearing as Sections 284  
 2 and 285 of the Official ReCompilation of the Constitution of  
 3 Alabama of 1901, as amended, and the election laws of this  
 4 state.

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

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

20 "Proposed by Act \_\_\_\_\_."

21 This description shall be followed by the following  
 22 language:

23 "Yes ( ) No ( )."

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President and Presiding Officer of the Senate

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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

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House of Representatives  
Passed: 14-APR-15

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By: Senator Coleman