

1 HB265
2 135945-1
3 By Representatives Barton, Gaston, Fincher, Ison, Long,
4 Sessions and Jones
5 RFD: Judiciary
6 First Read: 09-FEB-12

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8 SYNOPSIS: Under existing law, the judge of probate is
9 not required to be licensed to practice law in the
10 state unless he or she is elected in Jefferson or
11 Mobile County.

12 This bill would require the judge of probate
13 in all counties to be licensed to practice law
14 beginning with any term of office after the
15 November general election in 2014.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To amend Section 12-13-31, Code Alabama 1975,
22 relating to the judge of probate; to require the judge of
23 probate to be licensed to practice law in the state.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 12-13-31, Code Alabama 1975, is
26 amended to read as follows:

27 "§12-13-31.

1 "a) A probate judge ~~must~~ shall be a citizen of the
2 state and ~~must~~ shall have resided in the county for which he
3 or she is elected or appointed for one year preceding the
4 election or appointment.

5 "b) Beginning with the next term of office
6 following the general election in 2014, the judge of probate
7 shall be licensed to practice law in this state."

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