

1 HB35
2 145635-1
3 By Representative Mitchell (Constitutional Amendment)
4 RFD: Judiciary
5 First Read: 14-JAN-14
6 PFD: 10/18/2013

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8 SYNOPSIS: Under Section 56 of the Constitution of
9 Alabama of 1901, now appearing as Section 56 of the
10 Official Recompilation of the Constitution of
11 Alabama of 1901, as amended, speech and debate by
12 members of the Legislature made in either house is
13 privileged.

14 This bill would propose an amendment to
15 Section 56; to provide that communications between
16 a member of the Legislature and an officer or
17 employee of the Legislature is privileged and
18 confidential.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 Proposing an amendment to Section 56 of the
25 Constitution of Alabama of 1901, now appearing as Section 56
26 of the Official Recompilation of the Constitution of Alabama
27 of 1901, as amended, relating to Legislature, to provide that

1 communications between a member of the Legislature and an
2 officer or employee of the Legislature is privileged and
3 confidential.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. The following amendment to the
6 Constitution of Alabama of 1901, as amended, is proposed and
7 shall become valid as a part thereof when approved by a
8 majority of the qualified electors voting thereon and in
9 accordance with Sections 284, 285, and 287 of the Constitution
10 of Alabama of 1901, as amended:

11 PROPOSED AMENDMENT

12 Section 56 of the Constitution of Alabama of 1901,
13 now appearing as Section 56 of the Official Recompilation of
14 the Constitution of Alabama of 1901, as amended, is amended to
15 read as follows:

16 "Section 56. (a) Members of the legislature shall,
17 in all cases, except treason, felony, violation of their oath
18 of office, and breach of the peace, be privileged from arrest
19 during their attendance at the session of their respective
20 houses, and in going to and returning from the same; and for
21 any speech or debate in either house shall not be questioned
22 in any other place.

23 "(b) All communications between a member of the
24 Legislature and an officer or employee of the Legislature is
25 privileged and confidential."

26 Section 2. An election upon the proposed amendment
27 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 provide that communications between a
12 member of the Legislature and an officer or employee of the
13 Legislature is privileged and confidential.

14 "Proposed by Act _____."

15 This description shall be followed by the following
16 language:

17 "Yes () No ()."