

1 HB370
2 205895-2
3 By Representatives Wadsworth and Rowe (Constitutional
4 Amendment)
5 RFD: Local Legislation
6 First Read: 03-MAR-20

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ENROLLED, An Act,

Proposing an amendment to the Constitution of Alabama of 1901, to allow the Judge of Probate of Walker County to exercise equity jurisdiction concurrent with that of the circuit court in cases originally filed in the Probate Court of Walker County if the judge of probate is a member of the Alabama State Bar.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

The Judge of Probate of Walker County may exercise equity jurisdiction concurrent with that of the circuit court in cases originally filed in the Probate Court of Walker County if the judge of probate is a member of the Alabama State Bar. In any case subject to this amendment, the judge of probate shall possess the power and authority of a circuit court judge trying the case and the case shall be treated in all respects in the same manner as a case filed in circuit court. The Alabama Rules of Civil Procedure shall apply in the cases except as otherwise specifically provided by law. This

1 amendment is self-executing, but the Legislature may enact
2 additional laws to implement this amendment if needed.

3 Section 2. An election upon the proposed amendment
4 shall be held in accordance with Section 284 and Section
5 284.01 of the Constitution of Alabama of 1901, now appearing
6 as Section 284 and Section 284.01 of the Official
7 Recompilation of the Constitution of Alabama of 1901, as
8 amended, and the election laws of this state.

9 Section 3. The appropriate election official shall
10 assign a ballot number for the proposed constitutional
11 amendment on the election ballot and shall set forth the
12 following description of the substance or subject matter of
13 the proposed constitutional amendment:

14 "Relating to Walker County, proposing an amendment
15 to the Constitution of Alabama of 1901, to allow the Judge of
16 Probate of Walker County to exercise equity jurisdiction
17 concurrent with that of the circuit court in cases originally
18 filed in the Probate Court of Walker County if the Judge of
19 Probate is a member of the Alabama State Bar.

20 Proposed by Act _____."

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

23 "Yes () No ()."

