

1 HB385
2 174052-1
3 By Representative Hill (M) (Constitutional Amendment)
4 RFD: Military and Veterans Affairs
5 First Read: 10-MAR-16

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8 SYNOPSIS: Under existing law, supernumerary district
9 attorneys hold an office of profit and are
10 prohibited from holding another office of profit
11 under the United States and under this state.

12 This bill would propose an amendment to
13 Section 280 of the Constitution of Alabama of 1901,
14 now appearing as Section 280 of the Official
15 Recompilation of the Constitution of Alabama of
16 1901, as amended, to remove the prohibition on a
17 supernumerary district attorney holding another
18 office of profit.

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20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 To propose an amendment to Section 280 of the
25 Constitution of Alabama of 1901, now appearing as Section 280
26 of the Official Recompilation of the Constitution of Alabama

1 of 1901, as amended, to allow supernumerary district attorneys
2 to hold another office of profit.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

10 PROPOSED AMENDMENT

11 Section 280 of Article XVII of the Constitution of
12 Alabama of 1901, as amended, is amended to read as follows:

13 "No person holding an office of profit under the
14 United States, except postmasters, whose annual salaries do
15 not exceed two hundred dollars, shall, during his continuance
16 in such office, hold any office of profit under this state;
17 nor, unless otherwise provided in this Constitution, shall any
18 person hold two offices of profit at one and the same time
19 under this state, except justices of the peace, constables,
20 notaries public, ~~and~~ commissioner of deeds, and supernumerary
21 district attorneys."

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

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

6 "Proposing an amendment to the Constitution of
7 Alabama of 1901, to allow supernumerary district attorneys to
8 hold another office of profit.

9 "Proposed by Act _____."

10 This description shall be followed by the following
11 language:

12 "Yes () No ()."