

1 SB256  
2 204340-2  
3 By Senator Singleton (Constitutional Amendment)  
4 RFD: Governmental Affairs  
5 First Read: 03-MAR-20

1 SB256

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4 ENROLLED, An Act,

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

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 PROPOSED AMENDMENT

17 The Judge of Probate of Marengo County may exercise  
18 equity jurisdiction concurrent with that of the circuit court  
19 in cases originally filed in the Probate Court of Marengo  
20 County if the judge of probate is a member of the Alabama  
21 State Bar. In any case subject to this amendment, the judge of  
22 probate shall possess the power and authority of a circuit  
23 court judge trying the case and the case shall be treated in  
24 all respects in the same manner as a case filed in circuit  
25 court. The Alabama Rules of Civil Procedure shall apply in the

1 cases except as otherwise specifically provided by law. This  
 2 amendment is self-executing, but the Legislature may enact  
 3 additional laws to implement this amendment if needed.

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

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

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

21 Proposed by Act \_\_\_\_\_."

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

24 "Yes ( ) No ( )."

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB256

Senate 06-MAY-20

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 18-MAY-20

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By: Senator Singleton