

1 SB331
2 196317-2
3 By Senators Albritton and Elliott (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 30-APR-19

1 SB331

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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 Baldwin
7 County to exercise equity jurisdiction concurrent with that of
8 the circuit court in cases originally filed in the Probate
9 Court of Baldwin 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 Baldwin County may exercise
18 equity jurisdiction concurrent with that of the circuit court
19 in cases originally filed in the Probate Court of Baldwin
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 Baldwin County, proposing an amendment
16 to the Constitution of Alabama of 1901, to allow the Judge of
17 Probate of Baldwin County to exercise equity jurisdiction
18 concurrent with that of the circuit court in cases originally
19 filed in the Probate Court of Baldwin 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

Speaker of the House of Representatives

SB331
Senate 08-MAY-19
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 22-MAY-19

By: Senator Albritton