

1 SB37  
2 171079-1  
3 By Senators Whatley and Chambliss (Constitutional Amendment)  
4 RFD: Finance and Taxation General Fund  
5 First Read: 03-AUG-15

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8 SYNOPSIS: Currently, the Constitution of Alabama of  
9 1901, provides that no person may be elected or  
10 appointed to a judicial office after reaching the  
11 age of 70 years.

12 This bill would provide that a person who is  
13 not over the age of 72 when qualifying for election  
14 and a person who is not over the age of 72 at the  
15 time of appointment may be appointed to the office  
16 of Judge of Probate of Tallapoosa County and may be  
17 elected to the office of Judge of Probate of  
18 Tallapoosa County.

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

24 To provide that a person who is not over the age of  
25 72 at the time of qualifying or appointment may be elected or  
26 appointed to the office of Judge of Probate of Tallapoosa  
27 County.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

6 PROPOSED AMENDMENT

7 Notwithstanding the provision of Section 6.16, as  
8 added by Amendment 328 to the Constitution of Alabama of 1901,  
9 now appearing as Section 155 of the Official Recompilation of  
10 the Constitution of Alabama of 1901, as amended, a person who  
11 is not over the age of 72 at the beginning time of qualifying  
12 for election, or at the time of his or her appointment, may be  
13 elected or appointed to the office of Judge of Probate of  
14 Tallapoosa County.

15 Section 2. An election upon the proposed amendment  
16 shall be held in accordance with Amendment 555 to the  
17 Constitution of Alabama of 1901, now appearing as Section  
18 284.01 of the Official Recompilation of the Constitution of  
19 Alabama of 1901, as amended, and the election laws of this  
20 state.

21 Section 3. The appropriate election official shall  
22 assign a ballot number for the proposed constitutional  
23 amendment on the election ballot and shall set forth the  
24 following description of the substance or subject matter of  
25 the proposed constitutional amendment:

26 "Relating to Tallapoosa County, proposing an  
27 amendment to the Constitution of Alabama of 1901, to provide

1 that a person who is not over the age of 72 at the time of  
2 qualifying or appointment may be elected or appointed to the  
3 office of Judge of Probate of Tallapoosa County.

4 "Proposed by Act \_\_\_\_\_"

5 This description shall be followed by the following  
6 language:

7 "Yes ( ) No ( )."