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3 SENATE FINANCE AND TAXATION GENERAL FUND COMMITTEE SUBSTITUTE
4 FOR HB15

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

13 This bill would provide that a person not
14 over the age of 72 at the time of qualifying for
15 election may be elected to judicial office and a
16 person not over the age of 72 at the time of
17 appointment may be appointed to judicial office.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT

22
23 To amend Section 6.16, as added by Amendment 328 to
24 the Constitution of Alabama of 1901, now appearing as Section
25 155 of the Official Recompilation of the Constitution of
26 Alabama of 1901, as amended, providing that no person over the
27 age of 70 years shall be elected or appointed to a judicial

1 office; to provide that a person not over the age of 72 at the
2 time of qualifying for election may be elected to judicial
3 office and a person not over the age of 72 at the time of
4 appointment may be appointed to judicial office.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

12 PROPOSED AMENDMENT

13 Section 6.16, as added by Amendment 328 to the
14 Constitution of Alabama of 1901, now appearing as Section 155
15 of the Official Recompilation of the Constitution of Alabama
16 of 1901, as amended, is amended to read as follows:

17 "6.16. Retirement.

18 "The legislature shall provide by law for he
19 retirement of judges, including supernumerary judges, with
20 such conditions, retirement benefits, and pensions for them
21 and their dependents as it may prescribe. ~~No person shall be
22 elected or appointed to a judicial officer after reaching the
23 age of seventy years~~ A person not over the age of 72 at the
24 beginning of the time of qualifying for judicial office may be
25 elected to judicial office and a person not over the age of 72
26 at the time of appointment may be appointed to judicial
27 office, provided that a judge over the age of ~~seventy~~ 72 may

1 be appointed to the office of supernumerary judge if he is not
2 eligible to receive state judicial retirement benefits."

3 Section 2. An election upon the proposed amendment
4 shall be held in accordance with Sections 284 and 285 of the
5 Constitution of Alabama of 1901, now appearing as Sections 284
6 and 285 of the Official Recompilation of the Constitution of
7 Alabama of 1901, as amended, and the election laws of this
8 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 "Proposing an amendment to the Constitution of
15 Alabama of 1901, to increase the maximum age at which a person
16 may be elected or appointed to a judicial office; to provide
17 that a person not over the age of 72 at the time of qualifying
18 for election may be elected to judicial office and a person
19 not over the age of 72 at the time of appointment may be
20 appointed to judicial office.

21 "Proposed by Act _____."

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

24 "Yes () No ()."