

1 HB11
2 173126-2
3 By Representatives Treadaway, McCutcheon, Carns, Drake,
4 Whorton (I), Standridge, Clouse, Harbison, Whorton (R), Henry,
5 South, Rowe, Harper, Wadsworth, Garrett, Poole, Williams (P),
6 Shedd, Boothe, Faulkner, Sessions, Sells, Davis, Hanes,
7 Mooney, Ledbetter, Rich and Patterson
8 RFD: Ethics and Campaign Finance
9 First Read: 15-AUG-16

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8 SYNOPSIS: Under existing law, a member of the
9 Legislature who holds a leadership position and who
10 is indicted for a crime continues to hold his or
11 her leadership position in the Legislature.

12 This bill would automatically suspend a
13 member of the Legislature who holds a leadership
14 position from serving in that leadership position
15 if the member is indicted for a crime that is a
16 felony.

17 This bill would clarify that the member
18 would continue to serve in the Legislature during
19 the suspension.
20

21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 Relating to the Legislature; to automatically
26 suspend a member of the Legislature who holds a leadership
27 position from serving in that leadership position in the event

1 the member is indicted for a crime that is a felony; and to
2 clarify that the member would continue to serve in the
3 Legislature during the suspension.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. (a) As used in this section, "leadership
6 position" means any of the following positions: President Pro
7 Tempore of the Senate, Senate Majority Leader, Senate Minority
8 Leader, chair of any Senate standing committee, Speaker of the
9 House of Representatives, Speaker Pro Tempore, House Majority
10 Leader, House Minority Leader, or chair of any House standing
11 committee.

12 (b) A member of the Legislature who holds a
13 leadership position and who is indicted in a state court or a
14 federal court for a crime that is a felony, shall be
15 immediately suspended from his or her leadership position. A
16 member suspended under this act shall continue to serve as a
17 legislator. The suspension shall remain in effect until the
18 member is acquitted or the charges are dismissed.

19 (c) A vacancy in a leadership position resulting
20 from a suspension under this section shall be filled in
21 accordance with applicable legislative procedure.

22 Section 2. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.