

1 HB353  
2 198377-4  
3 By Representative Rowe  
4 RFD: Judiciary  
5 First Read: 04-APR-19

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ENROLLED, An Act,

Relating to appellate procedure; to authorize the Speaker of the House of Representatives, President Pro Tempore of the Senate, the Chairs of the House and Senate Judiciary Committees, or the Legislative Council to file a brief of an amicus curiae in an appeal under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Notwithstanding Section 12-1-1, Code of Alabama 1975, or any other provision of Title 12, Code of Alabama 1975, or any rule of the Alabama Rules of Appellate Procedure, the Speaker of the House of Representatives, President Pro Tempore of the Senate, the Chairs of the House or Senate Judiciary Committees, or the Legislative Council may file a brief of an amicus curiae without leave of court at any time prior to the court's issuance of the certificate of judgment in any appeal.

This act only applies to an amicus curiae brief prepared and filed by the staff of the Legislative Services Agency and to matters coming before the appellate courts of the state on or after the effective date of this act.

Section 2. It is the intent of the Legislature, pursuant to Section 6.11 of Amendment 328 of the Constitution of Alabama of 1901, now appearing as Section 150 of the Official Recompilation of the Constitution of Alabama of 1901

1 as amended, that this act supersede any inconsistent rule of  
2 appellate procedure adopted by the Alabama Supreme Court.

3 Section 3. This act is supplemental to, and shall  
4 not alter, amend, or otherwise affect the procedural rights,  
5 privileges, permissions, options, or abilities of any other  
6 individual or party, including any legislative agency or  
7 official, under the state's existing laws and rules of  
8 appellate procedure.

9 Section 4. This act shall become effective  
10 immediately following its passage and approval by the  
11 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 16-MAY-19.

Jeff Woodard  
Clerk

Senate	28-MAY-19	Amended and Passed
House	28-MAY-19	Concurred in Senate Amendment