

1 SB65
2 197165-1
3 By Senator Shelnuttt (Constitutional Amendment)
4 RFD: Governmental Affairs
5 First Read: 05-MAR-19

2
3
4
5
6
7
8 SYNOPSIS: Section 279 of the Constitution of Alabama
9 of 1901, now appearing as Section 279 of the
10 Official Recompilation of the Constitution of
11 Alabama of 1901, as amended, requires all members
12 of the Legislature, and all officers, executive and
13 judicial, before they enter upon the execution of
14 the duties of their respective offices, to take a
15 specified oath of office. Section 36-4-6, Code of
16 Alabama 1975, requires governing officials of
17 cities and towns to take the oath of office as
18 prescribed by the Constitution of Alabama.

19 This bill would amend Section 279 of the
20 Constitution of Alabama of 1901, now appearing as
21 Section 279 of the Official Recompilation of the
22 Constitution of Alabama of 1901, as amended, to
23 provide that state public officials when taking the
24 oath of office may choose to do so by raising the
25 right hand and placing the left hand upon a
26 religious holy book or upon a copy of the

1 Constitution of the State of Alabama or a copy of
2 the Constitution of the United States.

3
4 A BILL
5 TO BE ENTITLED
6 AN ACT

7
8 To amend Section 279 of the Constitution of Alabama
9 of 1901, now appearing as Section 279 of the Official
10 Recompilation of the Constitution of Alabama of 1901, as
11 amended, to provide that state public officials when taking
12 the oath of office may choose to do so by raising the right
13 hand and placing the left hand upon a religious holy book or
14 upon a copy of the Constitution of the State of Alabama or a
15 copy of the Constitution of the United States.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. The following amendment to the
18 Constitution of Alabama of 1901, as amended, is proposed and
19 shall become valid as a part thereof when approved by a
20 majority of the qualified electors voting thereon and in
21 accordance with Sections 284, 285, and 287 of the Constitution
22 of Alabama of 1901, as amended:

23 PROPOSED AMENDMENT

24 Section 279 of the Constitution of Alabama of 1901,
25 now appearing as Section 279 of the Official Recompilation of
26 the Constitution of Alabama of 1901, as amended, is amended to
27 read as follows:

1 Section 279.

2 "All members of the legislature, and all officers,
3 executive and judicial, before they enter upon the execution
4 of the duties of their respective offices, shall take the
5 following oath or affirmation:

6 " "I, ..., solemnly swear (or affirm, as the case may
7 be) that I will support the Constitution of the United States,
8 and the Constitution of the State of Alabama, so long as I
9 continue a citizen thereof; and that I will faithfully and
10 honestly discharge the duties of the office upon which I am
11 about to enter, to the best of my ability. So help me God."

12 "The oath may be administered by the presiding
13 officer of either house of the legislature, or by any officer
14 authorized by law to administer an oath.

15 "The oath may be taken with a raised right hand, and
16 at the discretion of the oath taker, with a hand placed upon a
17 religious holy book or upon either of the Constitution of the
18 State of Alabama or the Constitution of the United States."

19 Section 2. An election upon the proposed amendment
20 shall be held in accordance with Sections 284 and 285 of the
21 Constitution of Alabama of 1901, now appearing as Sections 284
22 and 285 of the Official Recompilation of the Constitution of
23 Alabama of 1901, as amended, and the election laws of this
24 state.

25 Section 3. The appropriate election official shall
26 assign a ballot number for the proposed constitutional
27 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of
2 the proposed constitutional amendment:

3 "Proposing an amendment to the Constitution of
4 Alabama of 1901, to amend Section 279 of the Constitution of
5 Alabama of 1901, now appearing as Section 279 of the Official
6 Recompilation of the Constitution of Alabama of 1901, as
7 amended, to provide that state public officials when taking
8 the oath of office may choose to do so by raising the right
9 hand and placing the left hand upon a religious holy book or
10 upon a copy of the Constitution of the State of Alabama or a
11 copy of the Constitution of the United States."

12 "Proposed by Act _____."

13 This description shall be followed by the following
14 language:

15 "Yes () No ()."