

1 SB81
2 189281-1
3 By Senator Dial (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 09-JAN-18

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the county commission of
9 a county has the sole power to locate and relocate
10 the state courts within the county.

11 This bill proposes a local constitutional
12 amendment for Clay County relating to the location
13 of the state courts which would prohibit the
14 removal of the state courts from the present
15 location at the historical Clay County Courthouse.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To propose a local constitutional amendment for Clay
22 County relating to the location of the state courts; to
23 prohibit the removal of the state courts from the present
24 location at the historical Clay County Courthouse.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The following amendment to the
27 Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 (a) The Legislature hereby finds and declares:

5 (1) The Clay County Courthouse is a neoclassical
6 revival structure that was designed by C.W. Carlton and
7 completed and dedicated in 1906. The building is surmounted by
8 an impressive two-story high rotunda with a domed roof and
9 cupola that is topped with a sculpture holding the scales of
10 justice.

11 (2) The courthouse was placed on the National
12 Register of Historic Places on November 21, 1976, and was
13 restored in 2006 with donations and grants from federal,
14 state, and local governments.

15 (3) The courthouse houses the Justice Hugo L. Black
16 Courtroom, designated by the Clay County Commission on April
17 12, 1993.

18 (b) Upon the ratification of this amendment, the
19 state courts located in Clay County may not be moved from the
20 present location at the historical Clay County Courthouse,
21 provided the structure is standing and habitable.

22 Section 2. An election upon the proposed amendment
23 shall be held in accordance with Sections 284 and 284.01 of
24 the Constitution of Alabama of 1901, now appearing as Sections
25 284 and 284.01 of the Official Recompilation of the
26 Constitution of Alabama of 1901, as amended, and the election
27 laws of this state.

1 Section 3. The appropriate election official shall
2 assign a ballot number for the proposed constitutional
3 amendment on the election ballot and shall set forth the
4 following description of the substance or subject matter of
5 the proposed constitutional amendment:

6 "Relating to Clay County, proposing an amendment to
7 the Constitution of Alabama of 1901, prohibiting the removal
8 of the state courts from the historical Clay County
9 Courthouse.

10 "Proposed by Act _____"

11 This description shall be followed by the following
12 language:

13 "Yes () No ()."