

## **LWVAL Positions on Statewide Constitutional Amendment Referendums In Alabama Ballots on Nov. 3, 2020**

There are six statewide constitutional amendment referendums on all Alabama ballots on November 3. After carefully reviewing these amendment referendums and evaluating them with respect to the issue positions of the League of Women Voters of Alabama, LWVAL gives the following recommendations to League members for their consideration.

*[NOTE: The League of Women Voters of Alabama earlier issued information about the amendments in [VOTE411.ORG](http://VOTE411.ORG). Go to [VOTE411.ORG](http://VOTE411.ORG) to read the amendment referendums, an unbiased explanation of each, and a statement expressing what will happen if the amendment is approved and or not approved by Alabama voters.]*

**Amendment 1** - *Proposing an amendment to the Constitution of Alabama of 1901, to amend Article VIII of the Constitution of Alabama of 1901, now appearing as Section 177 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to provide that only a citizen of the United States has the right to vote.*

**LWVAL's position:** We are encouraging members to vote "no". If this amendment passes, the Alabama Constitution will not affirmatively state that "every citizen" has the right to vote, potentially becoming less inclusive.

**Amendment 2** - *Proposing an amendment to the Constitution of Alabama of 1901, to increase the membership of the Judicial Inquiry Commission and further provide for the appointment of the additional members; further provide for the membership of the Court of the Judiciary and further provide for the appointment of the additional members; further provide for the process of disqualifying an active judge; repeal provisions providing for the impeachment of Supreme Court Justices and appellate judges and the removal for cause of the judges of the district and circuit courts, judges of the probate courts, and judges of certain other courts by the Supreme Court; delete the authority of the Chief Justice of the Supreme Court to appoint an Administrative Director Courts; provide the Supreme Court of Alabama with authority to appoint an Administrative Director of Courts; require the Legislature to establish procedures for the appointment of the Administrative Director of Courts; delete the requirement that a district court hold court in each incorporated municipality with a population of 1,000 or more where there is no municipal court; provide that the procedure for the filling of vacancies in the office of a judge may be changed by local constitutional amendment; delete certain language relating to the position of constable holding more than one state office; delete a provision providing for the temporary maintenance of the prior judicial system; repeal the office of circuit solicitor; and make certain nonsubstantive stylistic changes.*

**Amendment 3** - *Proposing an amendment to the Constitution of Alabama of 1901, to provide that a judge, other than a judge of probate, appointed to fill a vacancy would serve an initial term until the first Monday after the second Tuesday in January following the next general election after the judge has completed two years in office.*

**LWVAL's Position on Amendments 2 and 3** - The LWVAL does not take a position on these amendments affecting the judiciary. We have not taken a position on judicial administration.

**Amendment 4** - *Proposing an amendment to the Constitution of Alabama of 1901, to authorize the Legislature to recompile the Alabama Constitution and submit it during the 2022 Regular Session, and provide a process for its ratification by the voters of this state.*

**LWVAL's Position on Amendment 4** - We encourage members to vote "yes" to recompile the Alabama Constitution as a step toward constitutional reform. The amendment is limited in scope to streamlining and reorganizing the Alabama Constitution and to removing the racist language that is a terrible holdover from the Jim Crow South. The League assumes that there are safeguards and transparency in the recompilation process. However, some uncertainty remains and we encourage everyone to remain vigilant as the process unfolds in the 2022 legislative session and beyond.

**Amendments 5** - *Relating to Franklin County, proposing an amendment to the Constitution of Alabama of 1901, to provide that a person is not liable for using deadly physical force in self-defense or in the defense of another person on the premises of a church under certain conditions.*

**Amendment 6** - *Relating to Lauderdale County, proposing an amendment to the Constitution of Alabama of 1901, to provide that a person is not liable for using deadly physical force in self-defense or in the defense of another person on the premises of a church under certain conditions.*

**LWVAL's Position on Amendments 5 and 6** - Although the LWVAL does not have a position on "Stand Your Ground" laws, we encourage members to vote "no" on these amendments. We prefer that amendments affecting only one county be decided by that county and not by a state-wide election. In addition, the Attorney General has said that Alabama's "Stand Your Ground" law already applies to church premises, making these amendments superfluous.