

1 SB120
2 144939-4
3 By Senators Dial, Holley, Allen, Whatley, Reed, Taylor,
4 Bussman, Scofield, McGill, Fielding, Holtzclaw, Williams,
5 Marsh, and Pittman (Constitutional Amendment)
6 RFD: Judiciary
7 First Read: 05-FEB-13

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8 SYNOPSIS: Article I, Section 26 of the Constitution of
9 Alabama of 1901, provides that every citizen has a
10 right to bear arms in defense of himself or herself
11 and the state.

12 This proposed amendment would provide that
13 every citizen has a fundamental right to bear arms
14 and that any restriction on this right would be
15 subject to strict scrutiny.

16 This proposed amendment would also provide
17 that a citizen cannot be compelled by international
18 treaty or law from taking actions that prohibit,
19 limit, or otherwise interfere with the fundamental
20 right to bear arms.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT
25

26 Proposing an amendment to Article I, Section 26 of
27 the Constitution of Alabama of 1901; to provide that every

1 citizen has a fundamental right to bear arms and that any
2 restriction on this right would be subject to strict scrutiny;
3 and to provide that no international treaty or law shall
4 prohibit, limit, or otherwise interfere with a citizen's
5 fundamental right to bear arms.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The following amendment to the
8 Constitution of Alabama of 1901, as amended, is proposed and
9 shall become valid as a part thereof when approved by a
10 majority of the qualified electors voting thereon and in
11 accordance with Sections 284, 285, and 287 of the Constitution
12 of Alabama of 1901, as amended:

13 PROPOSED AMENDMENT

14 "Article I, Section 26

15 "(a) ~~That every~~ Every citizen has a fundamental
16 right to bear arms in defense of himself or herself and the
17 state. Any restriction on this right shall be subject to
18 strict scrutiny.

19 (b) No citizen shall be compelled by any
20 international treaty or law to take an action that prohibits,
21 limits, or otherwise interferes with his or her fundamental
22 right to keep and bear arms in defense of himself or herself
23 and the state."

24 Section 2. The provisions of this act are severable.
25 If any part of this act is declared invalid or
26 unconstitutional, that declaration shall not affect the part
27 which remains.

1 Section 3. An election upon the proposed amendment
2 shall be held in accordance with Sections 284 and 285 of the
3 Constitution of Alabama of 1901, now appearing as Sections 284
4 and 285 of the Official Recompilation of the Constitution of
5 Alabama of 1901, as amended, and the election laws of this
6 state.

7 Section 4. The appropriate election official shall
8 assign a ballot number for the proposed constitutional
9 amendment on the election ballot and shall set forth the
10 following description of the substance or subject matter of
11 the proposed constitutional amendment:

12 "Proposing an amendment to the Constitution of
13 Alabama of 1901, to provide that every citizen has a
14 fundamental right to bear arms and that any restriction on
15 this right would be subject to strict scrutiny; and to provide
16 that no international treaty or law shall prohibit, limit, or
17 otherwise interfere with a citizen's fundamental right to bear
18 arms.

19 "Proposed by Act _____."

20 This description shall be followed by the following
21 language:

22 "Yes () No ()."