HB551

138847-1

By Representative Mitchell

RFD: Constitution, Campaigns and Elections

First Read: 15-MAR-12
SYNOPSIS: This bill would provide that a person who has been elected to the Alabama Legislature may not be appointed to a cabinet level position in the Governor's office nor employed by any other branch of state government, any department, agency, board, or commission of the state, or any public educational institution including, but not limited to, a local board of education, a two-year institution of higher education, or a four-year institution of higher education within two years from the date that the person ceased being a member of the Legislature.

This bill would also provide for enforcement by the Attorney General.

A BILL TO BE ENTITLED
AN ACT
To provide that a person who has been elected to the Alabama Legislature may not be appointed to a cabinet level position in the Governor's office nor employed by any other branch of state government, any department, agency, board, or commission of the state, or any public educational institution including, but not limited to, a local board of education, a two-year institution of higher education, or a four-year institution of higher education within two years from the date that the person ceased being a member of the Legislature; and to provide for enforcement by the Attorney General.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Notwithstanding any provision of law, a person who has been elected to the Alabama Legislature may not be appointed to a cabinet level position in the Governor's office nor employed by any other branch of state government, any department, agency, board, or commission of the state, or any public educational institution including, but not limited to, a local board of education, a two-year institution of higher education, or a four-year institution of higher education during the term to which he or she was elected or within two years from the date that the person ceased being a member of the Legislature.

(b) Any employment or contract that violates subsection (a) is void.

(c) A person shall be personally liable to the State of Alabama for the amount of any employment compensation received in violation of subsection (a).
(d) The Attorney General shall enforce this section.

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.