

FAIR BALLOT COMMISSION
STATEWIDE CONSTITUTIONAL AMENDMENT
NOVEMBER 8, 2022 GENERAL ELECTION
BALLOT STATEMENT
Approved Pursuant to Ala. Code 1975 §17-6-81

BALLOT STATEMENT FOR STATEWIDE AMENDMENT 3:

(1) The text of the statewide ballot measure, including sponsors, cosponsors, and the text of the question that will appear on the statewide ballot:

Proposed by Act No. 2022-256 (Senate Bill 196, 2022 Regular Legislative Session)

Bill Sponsor: Senator Livingston

Cosponsor: Senator Givhan

"Proposing an amendment to the Constitution of Alabama of 1901, to require the Governor to provide notice to the Attorney General and to the victim's family prior to granting a reprieve or commutation to a person sentenced to death, and to void the reprieve or commutation if the Governor fails to provide notice."

Proposed by Act 2022-256.

This description shall be followed by the following language: "Yes () No ()."

(2) A summary of and the text of any implementing legislation directly related to the statewide ballot measure:

There is no implementing legislation directly related to this statewide ballot measure.

(3) The placement of the statewide ballot measure on the statewide ballot:

This proposed Constitutional Amendment will appear on the Ballot after election of federal offices, statewide offices, local offices, the Proposed Constitution of Alabama of 2022 and will be the third constitutional amendment for voter consideration. The proposed Constitutional Amendment will be listed as "Statewide Amendment 3."

(4) A plain language summary of the statewide ballot measure, which shall include, at a minimum, the legal or constitutional authority for its passage, the effect of the statewide ballot measure if it is passed, including its cost and source of funding, and the effect of the statewide ballot measure if it is defeated.

Currently, the Governor has the power to postpone or reduce a death sentence to life in prison.

This amendment will require the Governor to notify the Attorney General and the victim's family before postponing or reducing a death sentence. Failure of the Governor to provide notice will void the Governor's action and allow the Attorney General to seek a new execution date from the Alabama Supreme Court.

If the majority of the voters vote "yes" on Amendment 3, the Governor will be required to provide notice to the Attorney General and to the victim's family prior to postponing or reducing a death sentence to life in prison.

If the majority of the voters vote "no" on Amendment 3, the Governor will not be required to provide notice.

There are no costs to Amendment 3.

The Constitutional authority for passage of Amendment 3 is set forth in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901. These sections outline the method a constitutional amendment may be put to the people of the State for a vote.