

OATH OF OFFICE

ALABAMA CONSTITUTION, SECTION 279

All members of the legislature, and all officers, executive and judicial, before they enter upon the execution of the duties of their respective offices, shall take the following oath or affirmation:

"I, ..., solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability. So help me God."

The oath may be administered by the presiding officer of either house of the legislature, or by any officer authorized by law to administer an oath.

- *There is no legal prohibition against the taking oath before the beginning of the term of office, but oath necessary before the exercise of any official duties of the office. See, e.g., AG's Opinion # 2005-026.*

Ala. Code § 36-4-1.

In all cases in which it is not otherwise provided by law, the oaths of office may be administered by any officer authorized to administer an oath, must be written out and subscribed by the person taking the same and must be accompanied with the certificate of the officer administering such oaths, specifying the day and year on which the same were taken.

- *It appears only judges and notaries public are "authorized by law" to administer oaths.*
- *See, e.g., AG's Opinion # 96-203 – sheriff not authorized to administer oath*

Ala. Code § 36-4-4.

Judges of other inferior courts and all other officers whose general duties are confined to a single county must, unless otherwise provided, file such oath and certificate in the office of the judge of probate of their respective counties.

Ala. Code § 36-4-7.

The officer in whose office such oaths are required to be filed must endorse thereon the day and year on which the same were filed, which endorsement must be signed by him.