- 1 HB105
- 2 147746-2
- 3 By Representative Baker
- 4 RFD: Education Policy
- 5 First Read: 05-FEB-13
- 6 PFD: 02/01/2013

1	ENGROSSED
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	To establish the crime of trespass on a school bus
9	in the first degree; to provide penalties; and in connection
10	therewith to have as its purpose or effect the requirement of
11	a new or increased expenditure of local funds within the
12	meaning of Amendment 621 of the Constitution of Alabama of
13	1901, now appearing as Section 111.05 of the Official
14	Recompilation of the Constitution of Alabama of 1901, as
15	amended.
16	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
17	Section 1. This act shall be known and may be cited
18	as the Charles "Chuck" Poland, Jr., Act.
19	Section 2. (a) A person commits the crime of
20	trespass on a school bus in the first degree if he or she is
21	found guilty of doing any of the following:
22	(1) Willfully Intentionally demolishing, destroying,
23	defacing, injuring, burning, or damaging any public school
24	bus.
25	(2) Entering a public school bus while the door is
26	open to load or unload students without a lawful purpose,
27	while at a railroad grade crossing, or after being forbidden

from doing so by the authorized school bus driver in charge of the bus, or upon demand of a principal of a school to which the bus is assigned or other duly authorized school system official.

- (3) As an occupant of a public school bus, refusing to leave the bus on demand of the authorized school bus driver in charge of the bus, or upon demand of a principal of a school to which the bus is assigned or other duly authorized school system official.
- (4) Willfully Intentionally stopping, impeding, delaying, or detaining any public school bus being operated for public school purposes with the intent to commit a crime therein.
- (b) The crime of trespass on a school bus in the first degree is a $\frac{\text{Class B}}{\text{Class A}}$ misdemeanor.
- (c) Subdivisions (2), (3), and (4) of subsection (a) do not apply to a child who is less than 12 years of age or to authorized school personnel who are boarding the school bus as a part of their job assignment.

Section 3. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, because the bill defines a new crime or amends the definition of an existing crime.

Section 4. 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.

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3	House of Representatives
4 5 6 7 8	Read for the first time and referred to the House of Representatives committee on Education Policy
9 10 11	Read for the second time and placed on the calendar 1 amendment 21-FEB-13
12 13 14	Read for the third time and passed as amended
15 16 17 18	Jeff Woodard Clerk