

1 HB2  
2 214109-1  
3 By Representative Treadaway  
4 RFD: Judiciary  
5 First Read: 11-JAN-22  
6 PFD: 06/28/2021

1  
2  
3  
4  
5  
6  
7  
8       SYNOPSIS:               Under existing law, the crime of assault in  
9                               the second degree is committed when a person, with  
10                              an intent to prevent a peace officer, detention or  
11                              correctional officer, emergency medical personnel,  
12                              or firefighter from performing a lawful duty,  
13                              intends to cause physical injury and causes  
14                              physical injury to any person.

15                            This bill would establish the crimes of  
16                            assault against a first responder in the first and  
17                            second degrees and would also further provide for  
18                            the crime of assault in the second degree to  
19                            reflect the creation of the crimes of assault  
20                            against a first responder in the first and second  
21                            degrees.

22                            This bill would amend the crimes of riot and  
23                            inciting to riot and would establish the crimes of  
24                            aggravated riot and unlawful traffic interference.  
25                            This bill would include a mandatory period of  
26                            incarceration to serve that is not subject to  
27                            probation or parole.

1 Under existing law, a person arrested for a  
2 crime of domestic violence or elder abuse is  
3 required to be held in custody until brought before  
4 the court within 48 hours for the purpose of  
5 consideration of bail.

6 This bill would also provide that if a  
7 person is arrested for committing a crime of  
8 assault against a first responder, riot, inciting  
9 to riot, aggravated riot, or unlawful traffic  
10 interference, the person would be required to be  
11 held in custody until brought before the court  
12 within 24 hours for the purpose of consideration of  
13 bail, or if not brought before the court within 24  
14 hours, would be subject to bail according to the  
15 Alabama Rules of Criminal Procedure.

16 Under existing law, local law enforcement  
17 agencies are primarily funded by the political  
18 subdivisions of the state that the agencies serve.

19 This bill would also provide that if a  
20 political subdivision of the state dissolves or  
21 defunds a local law enforcement agency, the  
22 political subdivision may not receive any state  
23 grant or aid money and may not receive any  
24 allocation of any state revenues directly shared  
25 with local governments that is not otherwise  
26 required by the Constitution of Alabama of 1901,

1           until the local law enforcement agency is fully  
2           restored and funded, with exceptions.

3           Amendment 621 of the Constitution of Alabama  
4           of 1901, as amended by Amendment 890, now appearing  
5           as Section 111.05 of the Official ReCompilation of  
6           the Constitution of Alabama of 1901, as amended,  
7           prohibits a general law whose purpose or effect  
8           would be to require a new or increased expenditure  
9           of local funds from becoming effective with regard  
10          to a local governmental entity without enactment by  
11          a 2/3 vote unless: it comes within one of a number  
12          of specified exceptions; it is approved by the  
13          affected entity; or the Legislature appropriates  
14          funds, or provides a local source of revenue, to  
15          the entity for the purpose.

16          The purpose or effect of this bill would be  
17          to require a new or increased expenditure of local  
18          funds within the meaning of the amendment. However,  
19          the bill does not require approval of a local  
20          governmental entity or enactment by a 2/3 vote to  
21          become effective because it comes within one of the  
22          specified exceptions contained in the amendment.

23  
24                           A BILL  
25                           TO BE ENTITLED  
26                           AN ACT  
27

1                   Relating to crimes and offenses; to create the  
2 Anti-Aggravated Riot Act; to amend Sections 13A-6-21,  
3 13A-11-1, 13A-11-3, 13A-11-4, and 15-10-3, Code of Alabama  
4 1975, and to add Sections 13A-11-3.1 and 13A-11-5.1 to the  
5 Code of Alabama 1975, to create the crimes of assault against  
6 a first responder in the first and second degrees; to further  
7 provide for the crimes of riot and inciting to riot; to create  
8 the crime of aggravated riot; to provide further for the crime  
9 of assault in the second degree; to create the crime of  
10 unlawful traffic interference; to further provide for  
11 penalties for certain violations; to further provide for the  
12 arrest, release, and bail of certain offenders; to provide  
13 restrictions on the issuance of certain state funds to a  
14 political subdivision that abolishes or reduces funding to a  
15 local law enforcement agency under certain conditions; and in  
16 connection therewith would have as its purpose or effect the  
17 requirement of a new or increased expenditure of local funds  
18 within the meaning of Amendment 621 of the Constitution of  
19 Alabama of 1901, as amended by Amendment 890, now appearing as  
20 Section 111.05 of the Official Recompilation of the  
21 Constitution of Alabama of 1901, as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23                   Section 1. This act shall be known and may be cited  
24 as the Anti-Aggravated Riot Act.

25                   Section 2. (a) As used in this section, the term  
26 first responder includes state, local, and tribal law  
27 enforcement officers; dogs or horses employed by a law

1 enforcement agency for the principal purpose of aiding in the  
2 detection of criminal activity, enforcement of laws, or  
3 apprehension of criminal offenders; detention and correctional  
4 officers at any municipal or county jail or state  
5 penitentiary; fire department and voluntary fire department  
6 personnel; and emergency medical personnel who are actively  
7 employed or on active volunteer status.

8 (b) A person commits the crime of assault against a  
9 first responder in the first degree when the person  
10 intentionally does any of the following to a first responder  
11 who is engaged in the performance of his or her official  
12 duties:

13 (1) Causes serious physical injury to the first  
14 responder.

15 (2) Causes physical injury by deadly weapon or  
16 dangerous instrument to the first responder.

17 (3) Causes physical injury to the first responder by  
18 strangulation or suffocation, or an attempt thereof.

19 (4) Causes physical injury to the first responder  
20 during a riot, aggravated riot, or unlawful assembly.

21 (5) Causes or attempts to cause a first responder to  
22 come into contact with bodily fluids, unless the first  
23 responder consented to the contact or the contact was  
24 necessary to provide medical care. For purposes of this  
25 subdivision, "bodily fluids" has the same meaning as defined  
26 under Section 13A-6-242, Code of Alabama 1975.

1 (c) Assault against a first responder in the first  
2 degree is a Class B felony. The defendant shall serve a  
3 minimum term of imprisonment of six months without  
4 consideration of probation, parole, good time credits, or any  
5 other reduction in time.

6 (d) In addition to any fine, the defendant shall pay  
7 restitution, including, but not limited to, all of the  
8 following:

9 (1) The costs of any and all medical treatment by  
10 any victim of the violation, including physical and  
11 occupational therapy and rehabilitation.

12 (2) The cost of any damage to property, or full  
13 value of property if destroyed or damaged beyond repair.

14 (3) The cost of any and all other losses suffered by  
15 any victim as a result of a violation of this section.

16 Section 3. (a) As used in this section, the term  
17 first responder includes state, local, and tribal law  
18 enforcement officers; dogs or horses employed by a law  
19 enforcement agency for the principal purpose of aiding in the  
20 detection of criminal activity, enforcement of laws, or  
21 apprehension of criminal offenders; detention and correctional  
22 officers at any municipal or county jail or state  
23 penitentiary; fire department and voluntary fire department  
24 personnel; and emergency medical personnel who are actively  
25 employed or on active volunteer status.

26 (b) A person commits the crime of assault against a  
27 first responder in the second degree when the person

1 intentionally causes physical injury to a first responder who  
2 is engaged in the performance of his or her official duties.

3 (c) Assault against a first responder in the second  
4 degree is a Class C felony. The defendant shall serve a  
5 minimum term of imprisonment of three months without  
6 consideration of probation, parole, good time credits, or any  
7 other reduction in time.

8 (d) In addition to any fine, the defendant shall pay  
9 restitution, including, but not limited to, all of the  
10 following:

11 (1) The costs of any and all medical treatment of or  
12 for any victim of the violation, including physical and  
13 occupational therapy and rehabilitation.

14 (2) The cost of any damage to property, or full  
15 value of property if destroyed or damaged beyond repair.

16 (3) The cost of any and all other losses suffered by  
17 any victim as a result of a violation of this section.

18 Section 4. Section 13A-6-21, Code of Alabama 1975,  
19 is amended to read as follows:

20 "§13A-6-21.

21 "(a) A person commits the crime of assault in the  
22 second degree if the person does any of the following:

23 "(1) With intent to cause serious physical injury to  
24 another person, he or she causes serious physical injury to  
25 any person.



1           "(2) With intent to cause physical injury to another  
2 person, he or she causes physical injury to any person by  
3 means of a deadly weapon or a dangerous instrument.

4           "(3) He or she recklessly causes serious physical  
5 injury to another person by means of a deadly weapon or a  
6 dangerous instrument.

7           "~~(4) With intent to prevent a peace officer, as~~  
8 ~~defined in Section 36-21-60, a detention or correctional~~  
9 ~~officer at any municipal or county jail or state penitentiary,~~  
10 ~~emergency medical personnel, cause physical injury to a~~  
11 ~~utility worker, or a firefighter from performing a lawful~~  
12 ~~duty, he or she intends to cause physical injury and he or she~~  
13 ~~causes physical injury to any person. For the purpose of this~~  
14 ~~subdivision, a person who is a peace officer who is employed~~  
15 ~~or under contract while off duty by a private or public entity~~  
16 ~~is a peace officer performing a lawful duty when the person is~~  
17 ~~working in his or her approved uniform while off duty with the~~  
18 ~~approval of his or her employing law enforcement agency.~~  
19 ~~Provided, however, that nothing contained herein shall be~~  
20 ~~deemed or construed as amending, modifying, or extending the~~  
21 ~~classification of a peace officer as off-duty for workers~~  
22 ~~compensation purposes or any other benefits to which a peace~~  
23 ~~officer may otherwise be entitled to under law when considered~~  
24 ~~on-duty. Additionally, nothing contained herein shall be~~  
25 ~~deemed or construed as amending, modifying, or extending the~~  
26 ~~tort liability of any municipality as a result of any action~~  
27 ~~or inaction on the part of an off-duty police officer. For the~~

1 purposes of this subdivision, utility worker means any person  
2 who is employed by an entity that owns, operates, leases, or  
3 controls any plant, property, or facility for the generation,  
4 transmission, manufacture, production, supply, distribution,  
5 sale, storage, conveyance, delivery, or furnishing to or for  
6 the public of electricity, natural or manufactured gas, water,  
7 steam, sewage, or telephone service, including two or more  
8 utilities rendering joint service.

9           "(5) With intent to cause physical injury to a  
10 teacher or to an employee of a public educational institution  
11 during or as a result of the performance of his or her duty,  
12 he or she causes physical injury to any person.

13           "(6) With intent to cause physical injury to a  
14 health care worker, including a nurse, physician, technician,  
15 or any other person employed by or practicing at a hospital as  
16 defined in Section 22-21-20; a county or district health  
17 department; a long-term care facility; or a physician's  
18 office, clinic, or outpatient treatment facility during the  
19 course of or as a result of the performance of the duties of  
20 the health care worker or other person employed by or  
21 practicing at the hospital; the county or district health  
22 department; any health care facility owned or operated by the  
23 State of Alabama; the long-term care facility; or the  
24 physician's office, clinic, or outpatient treatment facility;  
25 he or she causes physical injury to any person. This  
26 subdivision shall not apply to assaults by patients who are

1 impaired by medication or to assaults on home health care  
2 workers while they are in private residences.

3 "(7) For a purpose other than lawful medical or  
4 therapeutic treatment, he or she intentionally causes stupor,  
5 unconsciousness, or other physical or mental impairment, or  
6 injury to another person by administering to him or her,  
7 without his or her consent, a drug, substance, or preparation  
8 capable of producing the intended harm.

9 "(b) Assault in the second degree is a Class C  
10 felony.

11 ~~"(c) For the purposes of this section, utility  
12 worker means any person who is employed by an entity that  
13 owns, operates, leases, or controls any plant, property, or  
14 facility for the generation, transmission, manufacture,  
15 production, supply, distribution, sale, storage, conveyance,  
16 delivery, or furnishing to or for the public of electricity,  
17 natural or manufactured gas, water, steam, sewage, or  
18 telephone service, including two or more utilities rendering  
19 joint service.~~

20 Section 5. Sections 13A-11-1, 13A-11-3, and  
21 13A-11-4, Code of Alabama 1975, are amended to read as  
22 follows:

23 "§13A-11-1.

24 "The following definitions apply in this article:

25 "(1) OBSTRUCT. To "obstruct" means to render  
26 impassable without unreasonable inconvenience or hazard. A

1 gathering of persons to hear a person speak or otherwise  
2 communicate does not constitute an obstruction.

3 "(2) PUBLIC PLACE. A place to which the public or a  
4 substantial group of persons has access, and includes, but is  
5 not limited to, highways, transportation facilities, schools,  
6 places of amusement, parks, playgrounds and hallways, lobbies  
7 and other portions of apartment houses not constituting rooms  
8 or apartments designed for actual residence; provided, that no  
9 private dwelling and no place engaged for a private gathering  
10 is included within the meaning of public place with respect to  
11 any person specifically invited therein.

12 "(3) RIOT. The assemblage of five or more persons  
13 resulting in conduct which creates an immediate danger of  
14 damage to property or injury to persons.

15 "~~(3)~~ (4) TRANSPORTATION FACILITY. Any conveyance,  
16 premises or place used for or in connection with public  
17 passenger transportation, whether by air, railroad, motor  
18 vehicle, or any other method. It includes aircraft, water  
19 craft, railroad cars, buses and air, boat, railroad and bus  
20 terminals and stations, and all appurtenances thereto.

21 "§13A-11-3.

22 "(a) A person commits the crime of riot if, ~~with~~  
23 ~~five or more other persons, he wrongfully engages in~~  
24 ~~tumultuous and violent conduct and thereby intentionally or~~  
25 ~~recklessly causes or creates a grave risk of public terror or~~  
26 ~~alarm~~ after receiving an order to disperse by a law

1 enforcement officer or when in violation of a curfew, the  
2 person intentionally participates in a riot.

3 "(b) Riot is a Class A misdemeanor. On conviction,  
4 the defendant shall serve a minimum term of imprisonment of 30  
5 days without consideration of probation, parole, good time  
6 credits, or any other reduction in time.

7 "(c) In addition to any fine, the defendant shall  
8 pay restitution, including, but not limited to, all of the  
9 following:

10 "(1) The costs of any and all medical treatment by  
11 any victim of the violation, including physical and  
12 occupational therapy and rehabilitation.

13 "(2) The cost of any damage to property, or full  
14 value of property if destroyed or damaged beyond repair.

15 "(3) The cost of any and all other losses suffered  
16 by any victim as a result of a violation of this section.

17 "§13A-11-4.

18 "(a) A person commits the crime of inciting to riot  
19 if he or she commands, solicits, incites, funds, ~~or~~ urges, or  
20 otherwise aids or abets another person to engage in ~~tumultuous~~  
21 ~~and violent conduct of a kind likely to cause or create a~~  
22 ~~grave risk of public terror or alarm~~ a riot or aggravated  
23 riot.

24 "(b) Inciting to riot is a Class A misdemeanor. On  
25 conviction, the defendant shall serve a minimum term of  
26 imprisonment of 30 days without consideration of probation,  
27 parole, good time credits, or any other reduction in time.

1           "(c) In addition to any fine, the defendant shall  
2 pay restitution, including, but not limited to, all of the  
3 following:

4           "(1) The costs of any and all medical treatment of  
5 or for any victim of the violation, including physical and  
6 occupational therapy and rehabilitation.

7           "(2) The cost of any damage to property, or full  
8 value of property if destroyed or damaged beyond repair.

9           "(3) The cost of any and all other losses suffered  
10 by any victim as a result of a violation of this section."

11           Section 6. Sections 13A-11-3.1 and 13A-11-5.1 are  
12 added to Article 1 of Chapter 11 of Title 13A of the Code of  
13 Alabama 1975, to read as follows:

14           §13A-11-3.1.

15           (a) A person commits the crime of aggravated riot  
16 if, after receiving an order to disperse by a law enforcement  
17 officer or when in violation of a curfew, the person  
18 intentionally participates in a riot, the participants of  
19 which collectively cause damage to property in an amount which  
20 exceeds two thousand five hundred dollars (\$2,500) or cause  
21 physical injury to any one or more persons.

22           (b) Aggravated riot is a Class C felony. On  
23 conviction, the defendant shall serve a minimum term of  
24 imprisonment of three months without consideration of  
25 probation, parole, good time credits, or any other reduction  
26 in time.

1 (c) In addition to any fine, the defendant shall pay  
2 restitution, including, but not limited to, all of the  
3 following:

4 (1) The costs of any and all medical treatment by  
5 any victim of the violation, including physical and  
6 occupational therapy and rehabilitation.

7 (2) The cost of any damage to property, or full  
8 value of property if destroyed or damaged beyond repair.

9 (3) The cost of any and all other losses suffered by  
10 any victim as a result of a violation of this section.

11 §13A-11-5.1.

12 (a) (1) A person commits the crime of unlawful  
13 traffic interference if the person intentionally or recklessly  
14 impedes vehicular traffic by walking, standing, sitting,  
15 kneeling, lying, or placing an object in such a manner as to  
16 block passage of a vehicle on a public highway or interstate  
17 highway.

18 (2) This section does not apply to any of the  
19 following:

20 a. A person who, by permit or otherwise, has  
21 permission to operate in the public roadway from an  
22 appropriate government authority, including a law enforcement  
23 officer.

24 b. A person who operates in the roadway to direct  
25 traffic away from a hazardous road condition, an obstacle, or  
26 the scene of an accident.

1 (b) (1) Except as provided in subdivision (2),  
2 unlawful traffic interference is a Class A misdemeanor.

3 (2) On a second or subsequent violation under  
4 subdivision (1), or if a violation of this section resulted in  
5 physical injury or damage to property, the person is guilty of  
6 a Class C felony.

7 (c) A defendant convicted of violating this section  
8 shall serve a minimum term of imprisonment of 30 days without  
9 consideration of probation, parole, good time credits, or any  
10 other reduction in time.

11 (d) In addition to any fine, the defendant shall pay  
12 restitution, including, but not limited to, all of the  
13 following:

14 (1) The costs of any and all medical treatment of or  
15 for any victim of the violation, including physical and  
16 occupational therapy and rehabilitation.

17 (2) The cost of any damage to property, or full  
18 value of property if destroyed or damaged beyond repair.

19 (3) The cost of any and all other losses suffered by  
20 any victim as a result of a violation of this section.

21 Section 7. Section 15-10-3, Code of Alabama 1975, is  
22 amended to read as follows:

23 "§15-10-3.

24 "(a) An officer may arrest a person without a  
25 warrant, on any day and at any time in any of the following  
26 instances:



1           "(1) If a public offense has been committed or a  
2 breach of the peace threatened in the presence of the officer.

3           "(2) When a felony has been committed, though not in  
4 the presence of the officer, by the person arrested.

5           "(3) When a felony has been committed and the  
6 officer has probable cause to believe that the person arrested  
7 committed the felony.

8           "(4) When the officer has probable cause to believe  
9 that the person arrested has committed a felony, although it  
10 may afterwards appear that a felony had not in fact been  
11 committed.

12           "(5) When a charge has been made, upon probable  
13 cause, that the person arrested has committed a felony.

14           "(6) When the officer has actual knowledge that a  
15 warrant for the person's arrest for the commission of a felony  
16 or misdemeanor has been issued, provided the warrant was  
17 issued in accordance with this chapter. However, upon request  
18 the officer shall show the warrant to the arrested person as  
19 soon as possible. If the officer does not have the warrant in  
20 his or her possession at the time of arrest the officer shall  
21 inform the defendant of the offense charged and of the fact  
22 that a warrant has been issued.

23           "(7) When the officer has probable cause to believe  
24 that a felony or misdemeanor has been committed by the person  
25 arrested in violation of a protection order, including a  
26 domestic violence protection order or an elder abuse  
27 protection order, issued by a court of competent jurisdiction.

1           "(8) When an offense involves a crime of domestic  
2 violence, including domestic violence in the first degree,  
3 pursuant to Section 13A-6-130, domestic violence in the second  
4 degree, pursuant to Section 13A-6-131, domestic violence in  
5 the third degree, pursuant to Section 13A-6-132, interference  
6 with a domestic violence emergency call, in violation of  
7 Section 13A-6-137, or domestic violence by strangulation or  
8 suffocation, pursuant to Section 13A-6-138, in violation of a  
9 domestic violence protection order, pursuant to Section  
10 13A-6-142, or the offense involves the crime of elder abuse as  
11 defined in Section 38-9F-3, including elder abuse in the first  
12 degree pursuant to Section 13A-6-192, elder abuse in the  
13 second degree pursuant to Section 13A-6-193, or elder abuse in  
14 the third degree pursuant to Section 13A-6-194, in violation  
15 of an elder abuse protection order pursuant to Section  
16 38-9F-3, and the arrest is based on probable cause.

17           "(9) When an offense involves assault against a  
18 first responder in the first degree, as provided under Section  
19 2 of the act adding this amendatory language; assault against  
20 a first responder in the second degree, as provided under  
21 Section 3 of the act adding this amendatory language; riot, as  
22 provided under Section 13A-11-3; inciting to riot, as provided  
23 under Section 13A-11-4; aggravated riot, as provided under  
24 Section 13A-11-3.1; or unlawful traffic interference, as  
25 provided under Section 13A-11-5.1.

26           "(b) When a law enforcement officer investigates an  
27 allegation of domestic violence or elder abuse, whether or not

1 an arrest is made, the officer shall make a written report of  
2 the alleged incident, including a statement of the complaint,  
3 and the disposition of the case.

4 "(c) If the defendant is arrested under this section  
5 for committing ~~an act of domestic violence, including~~ domestic  
6 violence in the first degree, pursuant to Section 13A-6-130,  
7 domestic violence in the second degree, pursuant to Section  
8 13A-6-131, domestic violence in the third degree, pursuant to  
9 Section 13A-6-132, interference with a domestic violence  
10 emergency call, in violation of Section 13A-6-137, or domestic  
11 violence by strangulation or suffocation, pursuant to Section  
12 13A-6-138, in violation of a domestic violence protection  
13 order, pursuant to Section 13A-6-142, or an act of elder  
14 abuse, including elder abuse in the first degree pursuant to  
15 Section 13A-6-192, elder abuse in the second degree pursuant  
16 to Section 13A-6-193, or elder abuse in the third degree  
17 pursuant to Section 13A-6-194, in violation of an elder abuse  
18 protection order pursuant to Section 38-9F-3, the defendant  
19 shall be held in custody until brought before the court within  
20 48 hours for the purpose of enforcing the protection order and  
21 for consideration of bail in accordance with Section 15-13-190  
22 and the applicable rules of criminal procedure, pending a  
23 hearing. If the defendant is not brought before the court  
24 within 48 hours, the defendant shall be subject to bail  
25 according to the Alabama Rules of Criminal Procedure.

26 "(d) If the defendant is arrested for committing an  
27 act of assault against a first responder in the first degree

1 as provided under Section 2 of the act adding this amendatory  
2 language; assault against a first responder in the second  
3 degree, as provided under Section 3 of the act adding this  
4 amendatory language; riot, as provided under Section 13A-11-3;  
5 inciting to riot, as provided under Section 13A-11-4;  
6 aggravated riot, as provided under Section 13A-11-3.1; or  
7 unlawful traffic interference, as provided under Section  
8 13A-11-5.1; the defendant shall be held in custody until  
9 brought before the court within 24 hours for consideration of  
10 bail in accordance with Section 15-13-190 and the applicable  
11 rules of criminal procedure, pending a hearing. If the  
12 defendant is not brought before the court within 24 hours, the  
13 defendant shall be subject to bail according to the Alabama  
14 Rules of Criminal Procedure."

15           Section 8. (a) (1) As used in this section, the term  
16 defunded jurisdiction means a political subdivision of the  
17 state that is certified by the Attorney General as having  
18 abolished or disbanded, or substantially abolished or  
19 disbanded, the law enforcement agency of the political  
20 subdivision without an intention to immediately reconstitute  
21 the agency.

22           (2) A rebuttable presumption arises that a political  
23 subdivision has substantially abolished or disbanded the law  
24 enforcement agency of the political subdivision if the  
25 political subdivision reduces by 50 percent or more the budget  
26 of the law enforcement agency of the political subdivision

1 without reallocating a substantial majority of that money to  
2 another community policing program.

3 (3) A political subdivision may rebut the  
4 presumption by proving by clear and convincing evidence that  
5 the budget reduction was a fiscally appropriate decision as a  
6 result of a decrease in revenues in the previous fiscal year,  
7 or by proving that, the budget reduction notwithstanding, the  
8 law enforcement agency of the political subdivision is  
9 sufficiently funded to provide law enforcement services to the  
10 political subdivision.

11 (b) A defunded jurisdiction is not eligible for and  
12 may not receive any of the following:

13 (1) A state grant, gift, endowment, or any other sum  
14 of money or aid from the State of Alabama or a department,  
15 board, or agency thereof.

16 (2) Any allocation of state revenues directly shared  
17 with local governing bodies not otherwise guaranteed by the  
18 Constitution of Alabama of 1901, including, but not limited  
19 to, revenue from the Rebuild Alabama Act, Act 2019-2, 2019 1st  
20 Special Session; and the net profits derived from the proceeds  
21 of the Alabama liquor stores as provided under Section  
22 28-3-74, Code of Alabama 1975.

23 (c) Upon certification by the Attorney General that  
24 a political subdivision of the state is a defunded  
25 jurisdiction, the state Comptroller shall withhold the  
26 distribution of the revenue described under subsection (b) to  
27 which the defunded jurisdiction would otherwise be entitled

1 into a special fund within the State Treasury until the  
2 Attorney General certifies that the political subdivision has  
3 restored funding to the political subdivision's law  
4 enforcement agency.

5 (d) This section does not apply to a political  
6 subdivision of the state which, as of the effective date of  
7 this act, employs less than 20 full-time law enforcement  
8 officers.

9 Section 9. Although this bill would have as its  
10 purpose or effect the requirement of a new or increased  
11 expenditure of local funds, the bill is excluded from further  
12 requirements and application under Amendment 621, as amended  
13 by Amendment 890, now appearing as Section 111.05 of the  
14 Official Recompilation of the Constitution of Alabama of 1901,  
15 as amended, because the bill defines a new crime or amends the  
16 definition of an existing crime.

17 Section 10. This act shall become effective on the  
18 first day of the third month following its passage and  
19 approval by the Governor, or its otherwise becoming law.