

HB442 ENGROSSED



1 HB442
2 QDBF114-2
3 By Representative Wood (R) (N & P)
4 RFD: Local Legislation
5 First Read: 11-Apr-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to Calhoun County; to authorize the county commission and the governing bodies of municipalities to regulate halfway houses and other similar facilities; and to provide for enforcement.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the purposes of this act, the following terms have the following meanings:

(1) COURT ORDER. An order from a court to reside at a facility.

(2) FACILITY. Any halfway house; substance abuse rehabilitation treatment facility; sober living facility; or any other facility that is housing any resident who: (i) is enrolled in the facility by court order; or (ii) is supervised by the Calhoun County Community Punishment and Corrections Authority, Inc.

(3) HALFWAY HOUSE. Any group residence designed to facilitate individuals in their readjustment to private life following their release from institutionalization.

Section 2. (a) The Calhoun County Commission, by resolution, may regulate facilities in the county. The



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29 governing body of a municipality, by resolution, may regulate
30 facilities in the municipality. The regulations may include,
31 but are not limited to:

32 (1) A permit requirement.

33 (2) Size requirements or limitations.

34 (3) Location requirements or limitations, including,
35 but not limited to, required minimum distances from other
36 specified locations.

37 (4) Limits on the number of tenants per room.

38 (b) Any resolution adopted pursuant to this section may
39 provide for a civil penalty of up to one thousand dollars
40 (\$1,000) to be assessed per day, per resident for each
41 violation.

42 (c) Any resolution adopted pursuant to this section
43 shall provide for notice and a hearing before the assessment
44 of penalties.

45 (d) Any resolution adopted pursuant to this section may
46 be enforced by the respective governing body by an action
47 against the owner of the facility in the Civil Division of the
48 Circuit Court of Calhoun County.

49 (e) Any resolution adopted pursuant to this section
50 shall prohibit a registered sex offender from residing in any
51 facility that houses any resident who is enrolled in the
52 facility by court order or who is supervised by the Calhoun
53 County Community Punishment and Corrections Authority, Inc.

54 Section 3. This act is repealed on June 1, 2025.

55 Section 4. This act shall become effective on June 1,
56 2024.



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House of Representatives

Read for the first time and referred11-Apr-24
to the House of Representatives
committee on Local Legislation

Read for the second time and placed25-Apr-24
on the calendar:
0 amendments

Read for the third time and passed30-Apr-24
as amended
 Yeas 19
 Nays 0
 Abstains 82

John Treadwell
Clerk