

1 HB510
2 117663-1
3 By Representative Rogers
4 RFD: Education Policy
5 First Read: 04-FEB-10

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8 SYNOPSIS: This bill would prohibit a person from
9 carrying or possessing a stun gun or taser on any
10 school property or any conveyance owned, leased, or
11 contracted by a school to transport students to or
12 from school or a school-related activity and would
13 provide for fines upon violations.

14 Amendment 621 of the Constitution of Alabama
15 of 1901, now appearing as Section 111.05 of the
16 Official Recompilation of the Constitution of
17 Alabama of 1901, as amended, prohibits a general
18 law whose purpose or effect would be to require a
19 new or increased expenditure of local funds from
20 becoming effective with regard to a local
21 governmental entity without enactment by a 2/3 vote
22 unless: it comes within one of a number of
23 specified exceptions; it is approved by the
24 affected entity; or the Legislature appropriates
25 funds, or provides a local source of revenue, to
26 the entity for the purpose.

1 The purpose or effect of this bill would be
2 to require a new or increased expenditure of local
3 funds within the meaning of the amendment. However,
4 the bill does not require approval of a local
5 governmental entity or enactment by a 2/3 vote to
6 become effective because it comes within one of the
7 specified exceptions contained in the amendment.
8

9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 To prohibit a person from carrying or possessing a
14 stun gun or taser on school property or any conveyance owned,
15 leased, or contracted by a school to transport students to or
16 from school or a school-related activity; to provide for fines
17 upon violations; and in connection therewith would have as its
18 purpose or effect the requirement of a new or increased
19 expenditure of local funds within the meaning of Amendment 621
20 of the Constitution of Alabama of 1901, now appearing as
21 Section 111.05 of the Official Recompilation of the
22 Constitution of Alabama of 1901, as amended.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. As used in this act, stun gun or taser
25 shall mean all of the following:

26 (1) Any device which is powered by electrical
27 charging units, such as batteries, which fires one or several

1 barbs attached to a length of wire and which, upon hitting a
2 human, can send out a current capable of disrupting the
3 person's nervous system in such a manner as to render the
4 person incapable of normal functioning.

5 (2) Any device which is powered by electrical
6 charging units, such as batteries, and which, upon contact
7 with a human or clothing worn by a human, can send a current
8 capable of disrupting the person's nervous system in such a
9 manner as to render the person incapable of normal
10 functioning.

11 Section 2. (a) A person shall not carry or possess a
12 stun gun or taser on the real property of any school,
13 regardless of the time of day or the time of year, or on any
14 conveyance owned, contracted for, or leased by a school to
15 transport students to or from school or a school-related
16 activity.

17 (b) A person violating this subsection shall be
18 fined five hundred dollars (\$500) and for each subsequent
19 violation, a person shall be fined eight hundred dollars
20 (\$800).

21 Section 3. Although this bill would have as its
22 purpose or effect the requirement of a new or increased
23 expenditure of local funds, the bill is excluded from further
24 requirements and application under Amendment 621, now
25 appearing as Section 111.05 of the Official Recompilation of
26 the Constitution of Alabama of 1901, as amended, because the

1 bill defines a new crime or amends the definition of an
2 existing crime.

3 Section 4. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.