

1 HB556  
2 156536-3  
3 By Representative Wallace (N & P)  
4 RFD: Local Legislation  
5 First Read: 27-FEB-14

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Chilton County; to prohibit certain sex  
14 offenders from establishing residence within a home or other  
15 living accommodation with another sex offender; to prohibit  
16 certain sex offenders from establishing a residence within a  
17 home or other living accommodation that is located on a lot or  
18 piece of property where another sex offender has established a  
19 residence unless there is at least 300 feet between the  
20 residences; and to provide civil penalties for violations.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. This act shall only apply in Chilton  
23 County.

24 Section 2. (a) No adult sex offender shall establish  
25 a residence in a home or other living accommodation where  
26 another adult sex offender whose name appears on the Alabama  
27 Bureau of Investigation sex offender registry resides unless

1 the offenders are married or the offenders are related as  
2 ancestors or descendants by blood or adoption, as brothers or  
3 sisters of the whole or half-blood or by adoption, as  
4 stepchildren or stepparents while the marriage creating the  
5 relationship exists, or as aunts, uncles, nephews, or nieces  
6 of the whole or half-blood.

7 (b) No adult sex offender shall establish a  
8 residence in a home or other living accommodation that is  
9 located on the same lot or piece of property as another adult  
10 sex offender whose name appears on the Alabama Bureau of  
11 Investigation sex offender registry, unless there is at least  
12 300 feet between the residences or the offenders are married  
13 or the offenders are related by blood or adoption, as brothers  
14 or sisters, as stepchildren or stepparents while the marriage  
15 creating the relationship exists, or as aunts, uncles,  
16 nephews, or nieces of the whole or half-blood.

17 Section 3. A violation of Section 2 shall constitute  
18 a public nuisance. The district attorney may institute a civil  
19 action in the Circuit Court of Chilton County before the  
20 resident Circuit Judge for the Nineteenth Judicial Circuit  
21 against the owner or lessor of the property on which the  
22 nuisance exists for the purpose of abatement of the nuisance.  
23 The district attorney shall have the right to reimbursement of  
24 all costs associated with the litigation of the action, to be  
25 paid by the defendant.

26 Section 4. The court, at its discretion, may assess  
27 a civil fine of not more than five thousand dollars (\$5,000)

1 nor less than five hundred dollars (\$500) against the  
2 defendant for each separate civil action. The civil penalties  
3 shall be payable directly to the Office of the Circuit Clerk  
4 of Chilton County and disbursed evenly among the district  
5 attorney's office and the office of the circuit clerk.

6 Section 5. The county commission may develop and  
7 implement forms and procedures for the issuing of citations  
8 for civil violations and payment of civil penalties to  
9 implement this act.

10 Section 6. This act shall become effective on the  
11 first day of the third month following its passage and  
12 approval by the Governor, or its otherwise becoming law.