

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

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ENROLLED, An Act,

Relating to Chilton County; to prohibit certain sex offenders from establishing residence within a home or other living accommodation with another sex offender; to prohibit certain sex offenders from establishing a residence within a home or other living accommodation that is located on a lot or piece of property where another sex offender has established a residence unless there is at least 300 feet between the residences; and to provide civil penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

Section 2. (a) No adult sex offender shall establish a residence in a home or other living accommodation where another adult sex offender whose name appears on the Alabama Bureau of Investigation sex offender registry resides unless the offenders are married or the offenders are related as ancestors or descendants by blood or adoption, as brothers or sisters of the whole or half-blood or by adoption, as stepchildren or stepparents while the marriage creating the relationship exists, or as aunts, uncles, nephews, or nieces of the whole or half-blood.

(b) No adult sex offender shall establish a residence in a home or other living accommodation that is

1 located on the same lot or piece of property as another adult  
2 sex offender whose name appears on the Alabama Bureau of  
3 Investigation sex offender registry, unless there is at least  
4 300 feet between the residences or the offenders are married  
5 or the offenders are related by blood or adoption, as brothers  
6 or sisters, as stepchildren or stepparents while the marriage  
7 creating the relationship exists, or as aunts, uncles,  
8 nephews, or nieces of the whole or half-blood.

9 Section 3. A violation of Section 2 shall constitute  
10 a public nuisance. The district attorney may institute a civil  
11 action in the Circuit Court of Chilton County before the  
12 resident Circuit Judge for the Nineteenth Judicial Circuit  
13 against the owner or lessor of the property on which the  
14 nuisance exists for the purpose of abatement of the nuisance.  
15 The district attorney shall have the right to reimbursement of  
16 all costs associated with the litigation of the action, to be  
17 paid by the defendant.

18 Section 4. The court, at its discretion, may assess  
19 a civil fine of not more than five thousand dollars (\$5,000)  
20 nor less than five hundred dollars (\$500) against the  
21 defendant for each separate civil action. The civil penalties  
22 shall be payable directly to the Office of the Circuit Clerk  
23 of Chilton County and disbursed evenly among the district  
24 attorney's office and the office of the circuit clerk.

1                   Section 5. The county commission may develop and  
2                   implement forms and procedures for the issuing of citations  
3                   for civil violations and payment of civil penalties to  
4                   implement this act.

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

