

1 SB222
2 127663-2
3 By Senator Marsh
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 22-MAR-11

1 SB222

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4 ENROLLED, An Act,

5 To amend Section 36-25-7, Code of Alabama 1975, as
6 amended by Act 2010-764, 2010 Special Session, relating to
7 prohibited offers or gifts or the solicitation of gifts for
8 public officers, employees, and their family members for the
9 purpose of influencing official action, to clarify that the
10 prohibited offer, gift, solicitation, or receipt of anything,
11 as contemplated in Section 36-25-7, must be for the purpose of
12 corruptly influencing official action, and defining the term
13 corruptly.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 36-25-7, Code of Alabama 1975, as
16 amended by Act 2010-764, 2010 Special Session, is amended to
17 read as follows:

18 "§36-25-7.

19 "(a) No person shall offer or give to a public
20 official or public employee or a member of the household of a
21 public employee or a member of the household of the public
22 official and none of the aforementioned shall solicit or
23 receive anything for the purpose of corruptly influencing
24 official action, regardless of whether or not the thing
25 solicited or received is a thing of value.

1 "(b) No public official or public employee shall
2 solicit or receive anything for himself or herself or for a
3 family member of the public employee or family member of the
4 public official for the purpose of corruptly influencing
5 official action, regardless of whether or not the thing
6 solicited or received is a thing of value.

7 "(c) No person shall offer or give a family member
8 of the public official or family member of the public employee
9 anything for the purpose of corruptly influencing official
10 action, regardless of whether or not the thing offered or
11 given is a thing of value.

12 "(d) No public official or public employee, shall
13 solicit or receive any money in addition to that received by
14 the public official or public employee in an official capacity
15 for advice or assistance on matters concerning the
16 Legislature, lobbying a legislative body, an executive
17 department or any public regulatory board, commission or other
18 body of which he or she is a member. Notwithstanding the
19 foregoing, nothing in this section shall be construed to
20 prohibit a public official or public employee from the
21 performance of his or her official duties or responsibilities.

22 "(e) For purposes of this section, to act
23 "corruptly" means to act voluntarily, deliberately, and
24 dishonestly to either accomplish an unlawful end or result or

1 to use an unlawful method or means to accomplish an otherwise
2 lawful end or result."

3 Section 2. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB222

Senate 05-APR-11

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 01-JUN-11

By: Senator Marsh