

1 SB3
2 213516-1
3 By Senator Shelnutt
4 RFD: Judiciary
5 First Read: 11-JAN-22
6 PFD: 05/20/2021

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8 SYNOPSIS: Under existing law, the crime of assault in
9 the second degree is committed when a person, with
10 an intent to prevent a peace officer, detention or
11 correctional officer, emergency medical personnel,
12 or firefighter from performing a lawful duty,
13 intends to cause physical injury and causes
14 physical injury to any person.

15 This bill would establish the crimes of
16 assault against a first responder in the first and
17 second degrees and would also further provide for
18 the crime of assault in the second degree to
19 reflect the creation of the crimes of assault
20 against a first responder in the first and second
21 degrees.

22 This bill would amend the crimes of riot and
23 inciting to riot and would establish the crimes of
24 aggravated riot and unlawful traffic interference.

25 This bill would include a mandatory period
26 of incarceration to serve that is not subject to
27 probation or parole.

1 Under existing law, a person arrested for a
2 crime of domestic violence or elder abuse is
3 required to be held in custody until brought before
4 the court within 48 hours for the purpose of
5 consideration of bail.

6 This bill would provide that if a person is
7 arrested for committing a crime of assault against
8 a first responder, riot, inciting to riot,
9 aggravated riot, or unlawful traffic interference,
10 the person would be required to be held in custody
11 until brought before the court within 24 hours for
12 the purpose of consideration of bail, or if not
13 brought before the court within 24 hours, would be
14 subject to bail according to the Alabama Rules of
15 Criminal Procedure.

16 Under existing law, local law enforcement
17 agencies are primarily funded by the political
18 subdivisions of the state for whom the agencies
19 serve.

20 This bill would also provide that if a
21 political subdivision of the state dissolves or
22 defunds a local law enforcement agency, the
23 political subdivision may not receive any state
24 grant or aid money and may not receive any
25 allocation of any state revenues directly shared
26 with local governments that is not otherwise
27 required by the Constitution of Alabama of 1901,

1 until the local law enforcement agency is fully
2 restored and funded, with exceptions.

3 Amendment 621 of the Constitution of Alabama
4 of 1901, as amended by Amendment 890, now appearing
5 as Section 111.05 of the Official Recompilation of
6 the Constitution of Alabama of 1901, as amended,
7 prohibits a general law whose purpose or effect
8 would be to require a new or increased expenditure
9 of local funds from becoming effective with regard
10 to a local governmental entity without enactment by
11 a 2/3 vote unless: it comes within one of a number
12 of specified exceptions; it is approved by the
13 affected entity; or the Legislature appropriates
14 funds, or provides a local source of revenue, to
15 the entity for the purpose.

16 The purpose or effect of this bill would be
17 to require a new or increased expenditure of local
18 funds within the meaning of the amendment. However,
19 the bill does not require approval of a local
20 governmental entity or enactment by a 2/3 vote to
21 become effective because it comes within one of the
22 specified exceptions contained in the amendment.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Relating to crimes and offenses; to create the
2 Anti-Aggravated Riot Act; to amend Sections 13A-6-21,
3 13A-11-1, 13A-11-3, 13A-11-4, and 15-10-3, Code of Alabama
4 1975, and to add Sections 13A-11-3.1 and 13A-11-5.1 to the
5 Code of Alabama 1975, to create the crimes of assault against
6 a first responder in the first and second degrees; to further
7 provide for the crimes of riot and inciting to riot; to create
8 the crime of aggravated riot; to provide further for the crime
9 of assault in the second degree; to create the crime of
10 unlawful traffic interference; to further provide for
11 penalties for certain violations; to further provide for the
12 arrest, release, and bail of certain offenders; to provide
13 restrictions on the issuance of certain state funds to a
14 political subdivision that abolishes or reduces funding to a
15 local law enforcement agency under certain conditions; and in
16 connection therewith would have as its purpose or effect the
17 requirement of a new or increased expenditure of local funds
18 within the meaning of Amendment 621 of the Constitution of
19 Alabama of 1901, as amended by Amendment 890, now appearing as
20 Section 111.05 of the Official Recompilation of the
21 Constitution of Alabama of 1901, as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. This act shall be known and may be cited
24 as the Anti-Aggravated Riot Act.

25 Section 2. (a) As used in this section, the term
26 first responder includes state, local, and tribal law
27 enforcement officers; dogs or horses employed by a law

1 enforcement agency for the principal purpose of aiding in the
2 detection of criminal activity, enforcement of laws, or
3 apprehension of criminal offenders; detention and correctional
4 officers at any municipal or county jail or state
5 penitentiary; fire department and voluntary fire department
6 personnel; and emergency medical personnel who are actively
7 employed or on active volunteer status.

8 (b) A person commits the crime of assault against a
9 first responder in the first degree when the person
10 intentionally does any of the following to a first responder
11 who is engaged in the performance of his or her official
12 duties:

13 (1) Causes serious physical injury to the first
14 responder.

15 (2) Causes physical injury by deadly weapon or
16 dangerous instrument to the first responder.

17 (3) Causes physical injury to the first responder by
18 strangulation or suffocation, or an attempt thereof.

19 (4) Causes physical injury to the first responder
20 during a riot, aggravated riot, or unlawful assembly.

21 (5) Causes or attempts to cause a first responder to
22 come into contact with bodily fluids, unless the first
23 responder consented to the contact or the contact was
24 necessary to provide medical care. For purposes of this
25 subdivision, bodily fluids has the same meaning as defined
26 under Section 13A-6-242, Code of Alabama 1975.

1 (c) Assault against a first responder in the first
2 degree is a Class B felony. The defendant shall serve a
3 minimum term of imprisonment of six months without
4 consideration of probation, parole, good time credits, or any
5 other reduction in time.

6 (d) In addition to any fine, the defendant shall pay
7 restitution, including, but not limited to, all of the
8 following:

9 (1) Costs of any and all medical treatment by any
10 victim of the violation, including physical and occupational
11 therapy and rehabilitation.

12 (2) Costs of any damage to property, or full value
13 of property if destroyed or damaged beyond repair.

14 (3) Any and all other losses suffered by any victim
15 as a result of a violation of this section.

16 Section 3. (a) As used in this section, the term
17 first responder includes state, local, and tribal law
18 enforcement officers; dogs or horses employed by a law
19 enforcement agency for the principal purpose of aiding in the
20 detection of criminal activity, enforcement of laws, or
21 apprehension of criminal offenders; detention and correctional
22 officers at any municipal or county jail or state
23 penitentiary; fire department and voluntary fire department
24 personnel; and emergency medical personnel who are actively
25 employed or on active volunteer status.

26 (b) A person commits the crime of assault against a
27 first responder in the second degree when the person

1 intentionally causes physical injury to a first responder who
2 is engaged in the performance of his or her official duties.

3 (c) Assault against a first responder in the second
4 degree is a Class C felony. The defendant shall serve a
5 minimum term of imprisonment of three months without
6 consideration of probation, parole, good time credits, or any
7 other reduction in time.

8 (d) In addition to any fine, the defendant shall pay
9 restitution, including, but not limited to, all of the
10 following:

11 (1) Costs of any and all medical treatment of or for
12 any victim of the violation, including physical and
13 occupational therapy and rehabilitation.

14 (2) Costs of any damage to property, or full value
15 of property if destroyed or damaged beyond repair.

16 (3) Any and all other losses suffered by any victim
17 as a result of a violation of this section.

18 Section 4. Section 13A-6-21, Code of Alabama 1975,
19 is amended to read as follows:

20 "§13A-6-21.

21 "(a) A person commits the crime of assault in the
22 second degree if the person does any of the following:

23 "(1) With intent to cause serious physical injury to
24 another person, he or she causes serious physical injury to
25 any person.

1 "(2) With intent to cause physical injury to another
2 person, he or she causes physical injury to any person by
3 means of a deadly weapon or a dangerous instrument.

4 "(3) He or she recklessly causes serious physical
5 injury to another person by means of a deadly weapon or a
6 dangerous instrument.

7 "~~(4) With intent to prevent a peace officer, as~~
8 ~~defined in Section 36-21-60, a detention or correctional~~
9 ~~officer at any municipal or county jail or state penitentiary,~~
10 ~~emergency medical personnel, cause physical injury to a~~
11 ~~utility worker, or a firefighter from performing a lawful~~
12 ~~duty, he or she intends to cause physical injury and he or she~~
13 ~~causes physical injury to any person. For the purpose of this~~
14 ~~subdivision, a person who is a peace officer who is employed~~
15 ~~or under contract while off duty by a private or public entity~~
16 ~~is a peace officer performing a lawful duty when the person is~~
17 ~~working in his or her approved uniform while off duty with the~~
18 ~~approval of his or her employing law enforcement agency.~~
19 ~~Provided, however, that nothing contained herein shall be~~
20 ~~deemed or construed as amending, modifying, or extending the~~
21 ~~classification of a peace officer as off-duty for workers~~
22 ~~compensation purposes or any other benefits to which a peace~~
23 ~~officer may otherwise be entitled to under law when considered~~
24 ~~on-duty. Additionally, nothing contained herein shall be~~
25 ~~deemed or construed as amending, modifying, or extending the~~
26 ~~tort liability of any municipality as a result of any action~~
27 ~~or inaction on the part of an off-duty police officer. For the~~

1 purposes of this subdivision, utility worker means any person
2 who is employed by an entity that owns, operates, leases, or
3 controls any plant, property, or facility for the generation,
4 transmission, manufacture, production, supply, distribution,
5 sale, storage, conveyance, delivery, or furnishing to or for
6 the public of electricity, natural or manufactured gas, water,
7 steam, sewage, or telephone service, including two or more
8 utilities rendering joint service.

9 "(5) With intent to cause physical injury to a
10 teacher or to an employee of a public educational institution
11 during or as a result of the performance of his or her duty,
12 he or she causes physical injury to any person.

13 "(6) With intent to cause physical injury to a
14 health care worker, including a nurse, physician, technician,
15 or any other person employed by or practicing at a hospital as
16 defined in Section 22-21-20; a county or district health
17 department; a long-term care facility; or a physician's
18 office, clinic, or outpatient treatment facility during the
19 course of or as a result of the performance of the duties of
20 the health care worker or other person employed by or
21 practicing at the hospital; the county or district health
22 department; any health care facility owned or operated by the
23 State of Alabama; the long-term care facility; or the
24 physician's office, clinic, or outpatient treatment facility;
25 he or she causes physical injury to any person. This
26 subdivision shall not apply to assaults by patients who are

1 impaired by medication or to assaults on home health care
2 workers while they are in private residences.

3 "(7) For a purpose other than lawful medical or
4 therapeutic treatment, he or she intentionally causes stupor,
5 unconsciousness, or other physical or mental impairment, or
6 injury to another person by administering to him or her,
7 without his or her consent, a drug, substance, or preparation
8 capable of producing the intended harm.

9 "(b) Assault in the second degree is a Class C
10 felony.

11 ~~"(c) For the purposes of this section, utility
12 worker means any person who is employed by an entity that
13 owns, operates, leases, or controls any plant, property, or
14 facility for the generation, transmission, manufacture,
15 production, supply, distribution, sale, storage, conveyance,
16 delivery, or furnishing to or for the public of electricity,
17 natural or manufactured gas, water, steam, sewage, or
18 telephone service, including two or more utilities rendering
19 joint service.~~

20 Section 5. Sections 13A-11-1, 13A-11-3, and
21 13A-11-4, Code of Alabama 1975, are amended to read as
22 follows:

23 "§13A-11-1.

24 "The following definitions apply in this article:

25 "(1) OBSTRUCT. To "obstruct" means to render
26 impassable without unreasonable inconvenience or hazard. A

1 gathering of persons to hear a person speak or otherwise
2 communicate does not constitute an obstruction.

3 "(2) PUBLIC PLACE. A place to which the public or a
4 substantial group of persons has access, and includes but is
5 not limited to highways, transportation facilities, schools,
6 places of amusement, parks, playgrounds and hallways, lobbies
7 and other portions of apartment houses not constituting rooms
8 or apartments designed for actual residence; provided, that no
9 private dwelling and no place engaged for a private gathering
10 is included within the meaning of public place with respect to
11 any person specifically invited therein.

12 ~~"(3) RIOT. The assemblage of five or more persons~~
13 ~~resulting in conduct which does either of the following:~~

14 ~~"a. Creates an immediate danger of damage to~~
15 ~~property or injury to persons.~~

16 ~~"b. Substantially obstructs law enforcement or other~~
17 ~~governmental functions or services.~~

18 "(3) RIOT. The assemblage of five or more persons
19 resulting in conduct which creates an immediate danger of
20 damage to property or injury to persons.

21 ~~"(3)~~ (4) TRANSPORTATION FACILITY. Any conveyance,
22 premises or place used for or in connection with public
23 passenger transportation, whether by air, railroad, motor
24 vehicle or any other method. It includes aircraft, water
25 craft, railroad cars, buses and air, boat, railroad and bus
26 terminals and stations and all appurtenances thereto.

27 "§13A-11-3.

1 "(a) A person commits the crime of riot if, after
2 receiving an order to disperse by a law enforcement officer or
3 when in violation of a curfew, the person, with five or more
4 other persons, he wrongfully engages in tumultuous and violent
5 conduct and thereby intentionally or recklessly causes or
6 creates a grave risk of public terror or alarm intentionally
7 participates in a riot.

8 "(b) Riot is a Class A misdemeanor. The defendant
9 shall serve a minimum term of imprisonment of 30 days without
10 consideration of probation, parole, good time credits, or any
11 other reduction in time.

12 "(c) In addition to any fine, the defendant shall
13 pay restitution, including but not limited to all of the
14 following:

15 "(1) Costs of any and all medical treatment by any
16 victim of the violation, including physical and occupational
17 therapy and rehabilitation.

18 "(2) Costs of any damage to property, or full value
19 of property if destroyed or damaged beyond repair.

20 "(3) Any and all other losses suffered by any victim
21 as a result of a violation of this section.

22 "§13A-11-4.

23 "(a) A person commits the crime of inciting to riot
24 if he or she commands, solicits, incites, funds, or urges, or
25 otherwise aids or abets another person to engage in ~~tumultuous~~
26 ~~and violent conduct of a kind likely to cause or create a~~

1 ~~grave risk of public terror or alarm~~ a riot or aggravated riot.

2 "(b) Inciting to riot is a Class A misdemeanor. The
3 defendant shall serve a minimum term of imprisonment of 30
4 days without consideration of probation, parole, good time
5 credits, or any other reduction in time.

6 "(c) In addition to any fine, the defendant shall
7 pay restitution, including, but not limited to, all of the
8 following:

9 "(1) Costs of any and all medical treatment of or
10 for any victim of the violation, including physical and
11 occupational therapy and rehabilitation.

12 "(2) Costs of any damage to property, or full value
13 of property if destroyed or damaged beyond repair.

14 "(3) Any and all other losses suffered by any victim
15 as a result of a violation of this section."

16 Section 6. Sections 13A-11-3.1 and 13A-11-5.1 are
17 added to Article 1 of Chapter 11 of Title 13A of the Code of
18 Alabama 1975, to read as follows:

19 §13A-11-3.1.

20 (a) A person commits the crime of aggravated riot
21 if, after receiving an order to disperse by a law enforcement
22 officer or when in violation of a curfew, the person
23 intentionally participates in a riot, the participants of
24 which collectively cause damage to property in an amount which
25 exceeds two thousand five hundred dollars (\$2,500) or cause
26 physical injury to any one or more persons.

1 (b) Aggravated riot is a Class C felony. The
2 defendant shall serve a minimum term of imprisonment of three
3 months without consideration of probation, parole, good time
4 credits, or any other reduction in time.

5 (c) In addition to any fine, the defendant shall pay
6 restitution, including, but not limited to, all of the
7 following:

8 (1) Costs of any and all medical treatment by any
9 victim of the violation, including physical and occupational
10 therapy and rehabilitation.

11 (2) Costs of any damage to property, or full value
12 of property if destroyed or damaged beyond repair.

13 (3) Any and all other losses suffered by any victim
14 as a result of a violation of this section.

15 §13A-11-5.1.

16 (a) (1) A person commits the crime of unlawful
17 traffic interference if the person intentionally or recklessly
18 impedes vehicular traffic by walking, standing, sitting,
19 kneeling, lying, or placing an object in such a manner as to
20 block passage of a vehicle on a public highway or interstate
21 highway.

22 (2) This section does not apply to any of the
23 following:

24 a. A person who, by permit or otherwise, has
25 permission to operate in the public roadway from an
26 appropriate government authority, including a law enforcement
27 officer.

1 b. A person who operates in the roadway to direct
2 traffic away from a hazardous road condition, an obstacle, or
3 the scene of an accident.

4 (b) (1) Except as provided in subdivision (2),
5 unlawful traffic interference is a Class A misdemeanor.

6 (2) On a second or subsequent violation under
7 subdivision (1), or if a violation of this section resulted in
8 physical injury or damage to property, the person is guilty of
9 a Class C felony.

10 (c) A defendant convicted of violating this section
11 shall serve a minimum term of imprisonment of 30 days without
12 consideration of probation, parole, good time credits, or any
13 other reduction in time.

14 (d) In addition to any fine, the defendant shall pay
15 restitution, including, but not limited to, all of the
16 following:

17 (1) Costs of any and all medical treatment of or for
18 any victim of the violation, including physical and
19 occupational therapy and rehabilitation.

20 (2) Costs of any damage to property, or full value
21 of property if destroyed or damaged beyond repair.

22 (3) Any and all other losses suffered by any victim
23 as a result of a violation of this section.

24 Section 7. Section 15-10-3, Code of Alabama 1975, is
25 amended to read as follows:

26 "§15-10-3.

1 "(a) An officer may arrest a person without a
2 warrant, on any day and at any time in any of the following
3 instances:

4 "(1) If a public offense has been committed or a
5 breach of the peace threatened in the presence of the officer.

6 "(2) When a felony has been committed, though not in
7 the presence of the officer, by the person arrested.

8 "(3) When a felony has been committed and the
9 officer has probable cause to believe that the person arrested
10 committed the felony.

11 "(4) When the officer has probable cause to believe
12 that the person arrested has committed a felony, although it
13 may afterwards appear that a felony had not in fact been
14 committed.

15 "(5) When a charge has been made, upon probable
16 cause, that the person arrested has committed a felony.

17 "(6) When the officer has actual knowledge that a
18 warrant for the person's arrest for the commission of a felony
19 or misdemeanor has been issued, provided the warrant was
20 issued in accordance with this chapter. However, upon request
21 the officer shall show the warrant to the arrested person as
22 soon as possible. If the officer does not have the warrant in
23 his or her possession at the time of arrest the officer shall
24 inform the defendant of the offense charged and of the fact
25 that a warrant has been issued.

26 "(7) When the officer has probable cause to believe
27 that a felony or misdemeanor has been committed by the person

1 arrested in violation of a protection order, including a
2 domestic violence protection order or an elder abuse
3 protection order, issued by a court of competent jurisdiction.

4 "(8) When an offense involves a crime of domestic
5 violence, including domestic violence in the first degree,
6 pursuant to Section 13A-6-130, domestic violence in the second
7 degree, pursuant to Section 13A-6-131, domestic violence in
8 the third degree, pursuant to Section 13A-6-132, interference
9 with a domestic violence emergency call, in violation of
10 Section 13A-6-137, ~~or~~ domestic violence by strangulation or
11 suffocation, pursuant to Section 13A-6-138, or violation of a
12 domestic violence protection order, pursuant to Section
13 13A-6-142, or the offense involves the crime of elder abuse as
14 defined in Section 38-9F-3, including elder abuse in the first
15 degree pursuant to Section 13A-6-192, elder abuse in the
16 second degree pursuant to Section 13A-6-193, and elder abuse
17 in the third degree pursuant to Section 13A-6-194, in
18 violation of an Elder Abuse Protection Order pursuant to
19 Section 38-9F-3, and the arrest is based on probable cause.

20 "(9) When an offense involves assault against a
21 first responder in the first degree, as provided under Section
22 2 of the act adding this amendatory language; assault against
23 a first responder in the second degree, as provided under
24 Section 3 of the act adding this amendatory language; riot, as
25 provided under Section 13A-11-3; inciting to riot, as provided
26 under Section 13A-11-4; aggravated riot, as provided under

1 Section 13A-11-3.1; or unlawful traffic interference, as
2 provided under Section 13A-11-5.1.

3 "(b) When a law enforcement officer investigates an
4 allegation of domestic violence or elder abuse, whether or not
5 an arrest is made, the officer shall make a written report of
6 the alleged incident, including a statement of the complaint,
7 and the disposition of the case.

8 "(c) If the defendant is arrested under this section
9 for committing ~~an act of domestic violence, including~~ domestic
10 violence in the first degree, pursuant to Section 13A-6-130,
11 domestic violence in the second degree, pursuant to Section
12 13A-6-131, domestic violence in the third degree, pursuant to
13 Section 13A-6-132, interference with a domestic violence
14 emergency call, in violation of Section 13A-6-137, or domestic
15 violence by strangulation or suffocation, pursuant to Section
16 13A-6-138, ~~in a~~ violation of a domestic violence protection
17 order, pursuant to Section 13A-6-142, or an act of elder
18 abuse, including elder abuse in the first degree pursuant to
19 Section 13A-6-192, elder abuse in the second degree pursuant
20 to Section 13A-6-193, and elder abuse in the third degree
21 pursuant to Section 13A-6-194, in violation of an elder abuse
22 protection order, the defendant shall be held in custody until
23 brought before the court within 48 hours for the purpose of
24 enforcing the protection order and for consideration of bail
25 in accordance with Section 15-13-190 and the applicable rules
26 of criminal procedure, pending a hearing. If the defendant is
27 not brought before the court within 48 hours, the defendant

1 shall be subject to bail according to the Alabama Rules of
2 Criminal Procedure.

3 "(d) If the defendant is arrested for committing an
4 act of assault against a first responder in the first degree
5 as provided under Section 2 of the act adding this amendatory
6 language, assault against a first responder in the second
7 degree as provided under Section 3 of the act adding this
8 amendatory language, riot as provided under Section 13A-11-3,
9 inciting to riot as provided under Section 13A-11-4,
10 aggravated riot, as provided under Section 13A-11-3.1, or
11 unlawful traffic interference as provided under Section
12 13A-11-5.1, the defendant shall be held in custody until
13 brought before the court within 24 hours for consideration of
14 bail in accordance with Section 15-13-190 and the applicable
15 rules of criminal procedure, pending a hearing. If the
16 defendant is not brought before the court within 24 hours, the
17 defendant shall be subject to bail according to the Alabama
18 Rules of Criminal Procedure."

19 Section 8. (a) (1) As used in this section, the term
20 defunded jurisdiction means a political subdivision of the
21 state that is certified by the Attorney General as having
22 abolished or disbanded, or substantially abolished or
23 disbanded, the law enforcement agency of the political
24 subdivision without an intention to immediately reconstitute
25 the agency.

26 (2) A rebuttable presumption arises that a political
27 subdivision has substantially abolished or disbanded the law

1 enforcement agency of the political subdivision if the
2 political subdivision reduces by 50 percent or more the budget
3 of the law enforcement agency of the political subdivision
4 without reallocating a substantial majority of that money to
5 another community policing program.

6 (3) A political subdivision may rebut the
7 presumption by proving by clear and convincing evidence that
8 the budget reduction was a fiscally appropriate decision as a
9 result of a decrease in revenues in the previous fiscal year,
10 or by proving that, the budget reduction notwithstanding, the
11 law enforcement agency of the political subdivision is
12 sufficiently funded to provide law enforcement services to the
13 political subdivision.

14 (b) A defunded jurisdiction is not eligible for and
15 may not receive any of the following:

16 (1) A state grant, gift, endowment, or any other sum
17 of money or aid from the State of Alabama or a department,
18 board, or agency thereof.

19 (2) Any allocation of state revenues directly shared
20 with local governing bodies not otherwise guaranteed by the
21 Constitution of Alabama of 1901, including, but not limited
22 to, revenue from the Rebuild Alabama Act, Act 2019-2 of the
23 2019 1st Special Session; and the net profits derived from the
24 proceeds of the Alabama liquor stores under Section 28-3-74,
25 Code of Alabama 1975.

26 (c) Upon certification by the Attorney General that
27 a political subdivision of the state is a defunded

1 jurisdiction, the state Comptroller shall withhold the
2 distribution of the revenue described under subsection (b) to
3 which the defunded jurisdiction would otherwise be entitled
4 into a special fund within the State Treasury until the
5 Attorney General certifies that the political subdivision has
6 restored funding to the political subdivision's law
7 enforcement agency.

8 (d) This section does not apply to a political
9 subdivision of the state which, as of the effective date of
10 this act, employs less than 20 full-time law enforcement
11 officers.

12 Section 9. Although this bill would have as its
13 purpose or effect the requirement of a new or increased
14 expenditure of local funds, the bill is excluded from further
15 requirements and application under Amendment 621, as amended
16 by Amendment 890, now appearing as Section 111.05 of the
17 Official Recompilation of the Constitution of Alabama of 1901,
18 as amended, because the bill defines a new crime or amends the
19 definition of an existing crime.

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