

1 SB33
2 171689-1
3 By Senators Hightower, Glover, Figures, Reed, and Williams
4 RFD: Finance and Taxation General Fund
5 First Read: 09-SEP-15

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8 SYNOPSIS: This bill would prohibit a person, entity,
9 or association from offering or accepting anything
10 of value for an aborted fetus or any portion of an
11 aborted fetus and would provide criminal penalties
12 for any violation.

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

26 The purpose or effect of this bill would be
27 to require a new or increased expenditure of local

1 funds within the meaning of the amendment. However,
2 the bill does not require approval of a local
3 governmental entity or enactment by a 2/3 vote to
4 become effective because it comes within one of the
5 specified exceptions contained in the amendment.

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to aborted fetuses; to prohibit a person,
12 entity, or association from offering or accepting anything of
13 value for an aborted fetus or any portion of an aborted fetus;
14 to provide criminal penalties for any violation; and in
15 connection therewith would have as its purpose or effect the
16 requirement of a new or increased expenditure of local funds
17 within the meaning of Amendment 621 of the Constitution of
18 Alabama of 1901, now appearing as Section 111.05 of the
19 Official Recompilation of the Constitution of Alabama of 1901,
20 as amended.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) No person, entity, or association
23 shall offer anything of value for an aborted fetus or any
24 portion of an aborted fetus; nor shall any person, entity, or
25 association accept anything of value for an aborted fetus or
26 any portion of an aborted fetus.

1 (b) For the purposes of this section, anything of
2 value does not include reasonable payments associated with the
3 transportation, implantation, processing, preservation,
4 quality control, or storage of human fetal tissue.

5 (c) A violation of this section is punishable as a
6 Class B felony.

7 Section 2. Although this bill would have as its
8 purpose or effect the requirement of a new or increased
9 expenditure of local funds, the bill is excluded from further
10 requirements and application under Amendment 621, now
11 appearing as Section 111.05 of the Official Recompilation of
12 the Constitution of Alabama of 1901, as amended, because the
13 bill defines a new crime or amends the definition of an
14 existing crime.

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