

1 SB383  
2 128463-1  
3 By Senator Ross  
4 RFD: Judiciary  
5 First Read: 12-APR-11

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8 SYNOPSIS: Under existing law, receiving stolen  
9 property in the second degree is a Class C felony.

10 This bill would further provide that  
11 receiving stolen property in the second degree  
12 includes receiving a stolen firearm, rifle, or  
13 shotgun regardless of its value.

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



1           "(1) Which exceeds five hundred dollars (\$500) in  
2 value but does not exceed two thousand five hundred dollars  
3 (\$2,500) in value; or

4           "(2) Of any value under the circumstances described  
5 in subdivision (b) (3) of Section 13A-8-16; constitutes  
6 receiving stolen property in the second degree; or

7           "(3) Notwithstanding subdivision (1) of subsection  
8 (a), receiving stolen property which exceeds two hundred fifty  
9 dollars (\$250) in value but does not exceed two thousand five  
10 hundred dollars (\$2,500) in value where the defendant has  
11 previously been convicted of theft of property in the first or  
12 second degree or receiving stolen property in the first or  
13 second degree, constitutes receiving stolen property in the  
14 second degree; or

15           "(4) Notwithstanding subdivision (1), receiving a  
16 stolen firearm, rifle, or shotgun regardless of its value,  
17 constitutes receiving stolen property in the second degree.

18           "(b) Receiving stolen property in the second degree  
19 is a Class C felony."

20           Section 2. Although this bill would have as its  
21 purpose or effect the requirement of a new or increased  
22 expenditure of local funds, the bill is excluded from further  
23 requirements and application under Amendment 621, now  
24 appearing as Section 111.05 of the Official Recompilation of  
25 the Constitution of Alabama of 1901, as amended, because the  
26 bill defines a new crime or amends the definition of an  
27 existing crime.

1                   Section 3. This act shall become effective on the  
2 first day of the third month following its passage and  
3 approval by the Governor, or its otherwise becoming law.