

1 SB115
2 214109-1
3 By Senators Shelnutt and Allen
4 RFD: Judiciary
5 First Read: 18-JAN-22

1
2
3
4
5
6
7
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 of
26 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 also provide that if a
7 person is arrested for committing a crime of
8 assault against a first responder, riot, inciting
9 to riot, aggravated riot, or unlawful traffic
10 interference, the person would be required to be
11 held in custody until brought before the court
12 within 24 hours for the purpose of consideration of
13 bail, or if not brought before the court within 24
14 hours, would be subject to bail according to the
15 Alabama Rules of Criminal Procedure.

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

19 This bill would also provide that if a
20 political subdivision of the state dissolves or
21 defunds a local law enforcement agency, the
22 political subdivision may not receive any state
23 grant or aid money and may not receive any
24 allocation of any state revenues directly shared
25 with local governments that is not otherwise
26 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) The costs of any and all medical treatment by
10 any victim of the violation, including physical and
11 occupational therapy and rehabilitation.

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

14 (3) The cost of any and all other losses suffered by
15 any victim 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) The costs of any and all medical treatment of or
12 for any victim of the violation, including physical and
13 occupational therapy and rehabilitation.

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

16 (3) The cost of any and all other losses suffered by
17 any victim 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 creates an immediate danger of
14 damage to property or injury to persons.

15 "~~(3)~~ (4) TRANSPORTATION FACILITY. Any conveyance,
16 premises or place used for or in connection with public
17 passenger transportation, whether by air, railroad, motor
18 vehicle, or any other method. It includes aircraft, water
19 craft, railroad cars, buses and air, boat, railroad and bus
20 terminals and stations, and all appurtenances thereto.

21 "§13A-11-3.

22 "(a) A person commits the crime of riot if, ~~with~~
23 ~~five or more other persons, he wrongfully engages in~~
24 ~~tumultuous and violent conduct and thereby intentionally or~~
25 ~~recklessly causes or creates a grave risk of public terror or~~
26 ~~alarm~~ after receiving an order to disperse by a law

1 enforcement officer or when in violation of a curfew, the
2 person intentionally participates in a riot.

3 "(b) Riot is a Class A misdemeanor. On conviction,
4 the defendant shall serve a minimum term of imprisonment of 30
5 days without consideration of probation, parole, good time
6 credits, or any other reduction in time.

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

10 "(1) The costs of any and all medical treatment by
11 any victim of the violation, including physical and
12 occupational therapy and rehabilitation.

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

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

17 "§13A-11-4.

18 "(a) A person commits the crime of inciting to riot
19 if he or she commands, solicits, incites, funds, ~~or~~ urges, or
20 otherwise aids or abets another person to engage in ~~tumultuous~~
21 ~~and violent conduct of a kind likely to cause or create a~~
22 ~~grave risk of public terror or alarm~~ a riot or aggravated
23 riot.

24 "(b) Inciting to riot is a Class A misdemeanor. On
25 conviction, the defendant shall serve a minimum term of
26 imprisonment of 30 days without consideration of probation,
27 parole, good time credits, or any other reduction in time.

1 "(c) In addition to any fine, the defendant shall
2 pay restitution, including, but not limited to, all of the
3 following:

4 "(1) The costs of any and all medical treatment of
5 or for any victim of the violation, including physical and
6 occupational therapy and rehabilitation.

7 "(2) The cost of any damage to property, or full
8 value of property if destroyed or damaged beyond repair.

9 "(3) The cost of any and all other losses suffered
10 by any victim as a result of a violation of this section."

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

14 §13A-11-3.1.

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

22 (b) Aggravated riot is a Class C felony. On
23 conviction, the defendant shall serve a minimum term of
24 imprisonment of three months without consideration of
25 probation, parole, good time credits, or any other reduction
26 in time.

1 (c) In addition to any fine, the defendant shall pay
2 restitution, including, but not limited to, all of the
3 following:

4 (1) The costs of any and all medical treatment by
5 any victim of the violation, including physical and
6 occupational therapy and rehabilitation.

7 (2) The cost of any damage to property, or full
8 value of property if destroyed or damaged beyond repair.

9 (3) The cost of any and all other losses suffered by
10 any victim as a result of a violation of this section.

11 §13A-11-5.1.

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

18 (2) This section does not apply to any of the
19 following:

20 a. A person who, by permit or otherwise, has
21 permission to operate in the public roadway from an
22 appropriate government authority, including a law enforcement
23 officer.

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

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

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

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

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

14 (1) The costs of any and all medical treatment of or
15 for any victim of the violation, including physical and
16 occupational therapy and rehabilitation.

17 (2) The cost of any damage to property, or full
18 value of property if destroyed or damaged beyond repair.

19 (3) The cost of any and all other losses suffered by
20 any victim as a result of a violation of this section.

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

23 "§15-10-3.

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

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

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

5 "(3) When a felony has been committed and the
6 officer has probable cause to believe that the person arrested
7 committed the felony.

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

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

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

23 "(7) When the officer has probable cause to believe
24 that a felony or misdemeanor has been committed by the person
25 arrested in violation of a protection order, including a
26 domestic violence protection order or an elder abuse
27 protection order, issued by a court of competent jurisdiction.

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

17 "(9) When an offense involves assault against a
18 first responder in the first degree, as provided under Section
19 2 of the act adding this amendatory language; assault against
20 a first responder in the second degree, as provided under
21 Section 3 of the act adding this amendatory language; riot, as
22 provided under Section 13A-11-3; inciting to riot, as provided
23 under Section 13A-11-4; aggravated riot, as provided under
24 Section 13A-11-3.1; or unlawful traffic interference, as
25 provided under Section 13A-11-5.1.

26 "(b) When a law enforcement officer investigates an
27 allegation of domestic violence or elder abuse, whether or not

1 an arrest is made, the officer shall make a written report of
2 the alleged incident, including a statement of the complaint,
3 and the disposition of the case.

4 "(c) If the defendant is arrested under this section
5 for committing ~~an act of domestic violence, including~~ domestic
6 violence in the first degree, pursuant to Section 13A-6-130,
7 domestic violence in the second degree, pursuant to Section
8 13A-6-131, domestic violence in the third degree, pursuant to
9 Section 13A-6-132, interference with a domestic violence
10 emergency call, in violation of Section 13A-6-137, or domestic
11 violence by strangulation or suffocation, pursuant to Section
12 13A-6-138, in violation of a domestic violence protection
13 order, pursuant to Section 13A-6-142, or an act of elder
14 abuse, including elder abuse in the first degree pursuant to
15 Section 13A-6-192, elder abuse in the second degree pursuant
16 to Section 13A-6-193, or elder abuse in the third degree
17 pursuant to Section 13A-6-194, in violation of an elder abuse
18 protection order pursuant to Section 38-9F-3, the defendant
19 shall be held in custody until brought before the court within
20 48 hours for the purpose of enforcing the protection order and
21 for consideration of bail in accordance with Section 15-13-190
22 and the applicable rules of criminal procedure, pending a
23 hearing. If the defendant is not brought before the court
24 within 48 hours, the defendant shall be subject to bail
25 according to the Alabama Rules of Criminal Procedure.

26 "(d) If the defendant is arrested for committing an
27 act of assault against a first responder in the first degree

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

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

22 (2) A rebuttable presumption arises that a political
23 subdivision has substantially abolished or disbanded the law
24 enforcement agency of the political subdivision if the
25 political subdivision reduces by 50 percent or more the budget
26 of the law enforcement agency of the political subdivision

1 without reallocating a substantial majority of that money to
2 another community policing program.

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

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

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

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

23 (c) Upon certification by the Attorney General that
24 a political subdivision of the state is a defunded
25 jurisdiction, the state Comptroller shall withhold the
26 distribution of the revenue described under subsection (b) to
27 which the defunded jurisdiction would otherwise be entitled

1 into a special fund within the State Treasury until the
2 Attorney General certifies that the political subdivision has
3 restored funding to the political subdivision's law
4 enforcement agency.

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

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

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