

SB199 ENGROSSED



1 OQK3MJ-2
2 By Senator Orr
3 RFD: Veterans and Military Affairs
4 First Read: 11-Apr-23
5
6 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to prohibit an individual from picketing or protesting in certain circumstances; to allow counties and municipalities to adopt ordinances or regulations regarding time and noise regulations in certain circumstances; to provide criminal penalties for violations; and in connection therewith would have as its purpose of effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purpose of this section, the following terms have the following meanings:

(1) LAW ENFORCEMENT OFFICER. An officer employed by the state, or a county or municipality who is certified by the Alabama Peace Officers' Standards and Training Commission and who has the power to arrest.

(2) RESIDENCE. A building or structure, having a physical address or street number, that provides shelter in which a person resides.



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29 (b) No person shall picket or protest at a residence
30 occupied or used by any individual with the intent to harass,
31 intimidate, or disturb that individual or other individuals
32 who reside at that residence.

33 (c) A violation of this section is a Class C
34 misdemeanor. A second or subsequent violation of this section
35 is a Class B misdemeanor.

36 (d) Prior to making an arrest for a violation of this
37 section, a law enforcement officer shall instruct the person
38 who is picketing or protesting to immediately and peaceably
39 disperse and shall give the person a reasonable period of time
40 to follow the instructions.

41 (e) (1) Municipalities and counties, by ordinance or
42 resolution, may adopt reasonable regulations to limit the time
43 frame and noise level of any picketing or protesting in
44 residential areas.

45 (2) Violations of ordinances or resolutions adopted
46 pursuant to this section shall be enforced in the same manner
47 as violations of this section.

48 Section 2. Although this bill would have as its purpose
49 or effect the requirement of a new or increased expenditure of
50 local funds, the bills is excluded from further requirements
51 and application under Section 111.05 of the Constitution of
52 Alabama of 2022, because the bill defines a new crime or
53 amends the definition of an existing crime.

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



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59 Senate

60 Read for the first time and referred11-Apr-23
61 to the Senate committee on Veterans
62 and Military Affairs
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64 Read for the second time and placed13-Apr-23
65 on the calendar:
66 0 amendments
67
68 Read for the third time and passed02-May-23
69 as amended
70 Yeas 32
71 Nays 0
72 Abstains 0

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75 Patrick Harris,
76 Secretary.
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