SB199 ENGROSSED



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

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6 2023 Regular Session

SB199 Engrossed



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| 6 | A BILL |
| 7 | TO BE ENTITLED |
| 8 | AN ACT |
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| 10 | Relating to crimes and offenses; to prohibit an |
| 11 | individual from picketing or protesting in certain |
| 12 | circumstances; to allow counties and municipalities to adopt |
| 13 | ordinances or regulations regarding time and noise regulations |
| 14 | in certain circumstances; to provide criminal penalties for |
| 15 | violations; and in connection therewith would have as its |
| 16 | purpose of effect the requirement of a new or increased |
| 17 | expenditure of local funds within the meaning of Section |
| 18 | 111.05 of the Constitution of Alabama of 2022. |
| 19 | BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: |
| 20 | Section 1. (a) For the purpose of this section, the |
| 21 | following terms have the following meanings: |
| 22 | (1) LAW ENFORCEMENT OFFICER. An officer employed by the |
| 23 | state, or a county or municipality who is certified by the |
| 24 | Alabama Peace Officers' Standards and Training Commission and |
| 25 | who has the power to arrest. |
| 26 | (2) RESIDENCE. A building or structure, having a |
| 27 | physical address or street number, that provides shelter in |
| 28 | 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.

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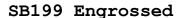
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- (d) Prior to making an arrest for a violation of this section, a law enforcement officer shall instruct the person who is picketing or protesting to immediately and peaceably disperse and shall give the person a reasonable period of time to follow the instructions.
- (e) (1) Municipalities and counties, by ordinance or resolution, may adopt reasonable regulations to limit the time frame and noise level of any picketing or protesting in 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.
- Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bills is excluded from further requirements and application under Section 111.05 of the Constitution of Alabama of 2022, because the bill defines a new crime or amends the definition of an existing crime.
- Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.





57 58 59 Senate Read for the first time and referred11-Apr-23 60 to the Senate committee on Veterans 61 and Military Affairs 62 63 64 on the calendar: 65 0 amendments 66 67 Read for the third time and passed02-May-23 68 69 as amended Yeas 32 70 Nays 0 71 Abstains 0 72 73

Patrick Harris,

Secretary.

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