

HB174 ENGROSSED



1 HB174

2 8J7YFFF-2

3 By Representatives Drummond, Clarke, Jones, Bracy, Shirey,

4 Brown

5 RFD: Judiciary

6 First Read: 15-Feb-24



HB174 Engrossed

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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-11-61, Code of Alabama 1975; to further provide for the crime of discharging a firearm in certain circumstances; to make nonsubstantive, technical revisions to update the existing code language to current style; and in connection therewith would have as its purpose or 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. Section 13A-11-61, Code of Alabama 1975, is amended to read as follows:

"§13A-11-61

(a) No person shall shoot or discharge a firearm, explosive, or other weapon ~~which~~ that discharges a dangerous projectile into any occupied or unoccupied dwelling ~~or~~ , building ~~or~~ , railroad locomotive ~~or~~ , railroad car, aircraft, automobile, truck, , or watercraft ~~in this state~~.

(b) Any person who commits an act prohibited by



HB174 Engrossed

29 subsection (a) with respect to an occupied dwelling ~~or,~~
30 building ~~or,~~ railroad locomotive ~~or,~~ railroad car, aircraft,
31 automobile, truck, or watercraft shall be ~~deemed~~ guilty of a
32 Class ~~B~~ A felony ~~as defined by the state criminal code,~~ and
33 ~~upon conviction, shall be punished as prescribed by law.~~

34 (c) Any person who commits ~~any~~ an act prohibited by
35 subsection (a) ~~hereof~~ with respect to an unoccupied dwelling
36 ~~or,~~ building ~~or,~~ railroad locomotive ~~or,~~ railroad car,
37 aircraft, automobile, truck, or watercraft shall be ~~deemed~~
38 guilty of a Class C felony ~~as defined by the state criminal~~
39 ~~code, and upon conviction, shall be punished as prescribed by~~
40 ~~law."~~

41 Section 2. Although this bill would have as its purpose
42 or effect the requirement of a new or increased expenditure of
43 local funds, the bill is excluded from further requirements
44 and application under Section 111.05 of the Constitution of
45 Alabama of 2022, because the bill defines a new crime or
46 amends the definition of an existing crime.

47 Section 3. This act shall become effective on October
48 1, 2024.



HB174 Engrossed

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House of Representatives

Read for the first time and referred15-Feb-24
to the House of Representatives
committee on Judiciary

Read for the second time and placed28-Feb-24
on the calendar:
1 amendment

Read for the third time and passed23-Apr-24
as amended
Yeas 84
Nays 0
Abstains 18

John Treadwell
Clerk