

HB183 INTRODUCED



1 HB183
2 QEHY515-1
3 By Representative Lipscomb
4 RFD: Public Safety and Homeland Security
5 First Read: 15-Feb-24



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SYNOPSIS:

This bill would prohibit the state and political subdivisions of the state, and their law enforcement officers, agents, and employees from transporting homeless individuals to another city or county within the state, unless being done for a lawful purpose.

This bill would provide for criminal penalties for violations.

Section 111.05 of the Constitution of Alabama of 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the section. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it comes within one of the specified exceptions contained in the section.



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to prohibit the state and political subdivisions of the state, and their law enforcement officers, agents, and employees from transporting homeless individuals to another city or county within the state, unless being done for a lawful purpose; 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. (a) For the purpose of this section, "homeless" has the same meaning as in Section 15-20A-4, Code of Alabama 1975.

(b) Unless being done for a lawful purpose, the state or a political subdivision of the state, or a law enforcement officer, agent, or employee thereof, when acting in his or her official capacity, shall not transport a homeless individual to another city or county within the state.

(c) A violation of this section is a Class A misdemeanor.

Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of



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57 local funds, the bill is excluded from further requirements
58 and application under Section 111.05 of the Constitution of
59 Alabama of 2022, because the bill defines a new crime or
60 amends the definition of an existing crime.

61 Section 3. This act shall become effective on October
62 1, 2024.