

SB34 ENGROSSED



1 SB34
2 KF3P55U-2
3 By Senator Smitherman
4 RFD: Judiciary
5 First Read: 06-Feb-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Act 2023-493, 2023 Regular Session, now appearing as Section 13A-10-241, Code of Alabama 1975, to add additional victims to the crime of making a terrorist threat in the first degree; 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-10-241, as created by Act 2023-493, 2023 Regular Session, Code of Alabama 1975, is amended to read as follow:

"§13A-10-241

(a) A person commits the crime of making a terrorist threat in the first degree when he or she, based on an objective evaluation, credibly threatens to commit a crime of violence against a person or to damage any property by use of a bomb, explosive, weapon of mass destruction, firearm, deadly weapon, or other mechanism and any of the following occurs:



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29 (1) The threat causes the evacuation of any real
30 property.

31 (2) The threat causes the disruption of a school,
32 church, or government activity.

33 (3) The threat is with intent to retaliate against the
34 victim because of his or her involvement or participation as
35 any of the following:

36 a. A witness or party in any judicial or administrative
37 proceeding.

38 b. A person who produced records, documents, or other
39 objects in a judicial or administrative proceeding.

40 c. A person who provided to a law enforcement officer,
41 adult or juvenile probation officer, prosecuting attorney, or
42 judge any information relating to the commission or possible
43 commission of an offense under the laws of this state, of the
44 United States, or a violation of conditions of bail, pretrial
45 release, probation, or parole.

46 (4) The threat is made against an elected public
47 official or his or her staff.

48 (b) The crime of making a terrorist threat in the first
49 degree is a Class C felony.

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

56 Section 3. This act shall become effective on October



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57 1, 2024.



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60 Senate

61 Read for the first time and referred06-Feb-24
62 to the Senate committee on Judiciary
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64 Read for the second time and placed28-Feb-24
65 on the calendar:
66 1 amendment
67
68 Read for the third time and passed29-Feb-24
69 as amended
70 Yeas 34
71 Nays 0
72 Abstains 0
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Patrick Harris,
Secretary.

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