

1 HB824  
2 119214-1  
3 By Representative Hurst (N & P)  
4 RFD: Local Legislation  
5 First Read: 08-APR-10

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Calhoun County; to establish a county  
14 business license for persons engaged in commercial  
15 door-to-door sales promotion of products or services for  
16 profit; to establish requirements for and the process to  
17 obtain a door-to-door sales license and the fees for the  
18 license; and to provide for penalties for violations.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) In Calhoun County, all persons  
21 engaged in the business of selling products door-to-door for  
22 profit shall have a state transient business license and a  
23 county business license issued by the Calhoun County  
24 Commissioner of Licenses as provided in this act.

25 (b) The person or business shall apply for  
26 application to the commissioner of licenses on forms provided  
27 by the commissioner. The application form shall require the

1 applicant to fully describe the nature of the business and  
2 type of products or services to be sold.

3 (c) Any person who is to be engaged in door-to-door  
4 sales shall provide to the commissioner his or her full name,  
5 date of birth, driver's license, or other government issued  
6 identification number, address, and the name and address of  
7 the business with which he or she is employed as a  
8 door-to-door salesperson. The information collected shall be  
9 submitted to the Calhoun County Sheriff for a criminal  
10 background check and a check as to whether the person is  
11 required to register as a sex offender. The sheriff shall  
12 report to the commissioner of licenses his or her findings. No  
13 person convicted of a felony or required to register as a sex  
14 offender shall be eligible to be licensed. Any person denied a  
15 license to conduct door-to-door sales shall be entitled to a  
16 hearing before the commissioner of licenses.

17 (d) Those persons who become licensed to conduct  
18 door-to-door sales in Calhoun County shall be required to wear  
19 an identification badge clearly visible to others while  
20 conducting business or visiting homes in the course of their  
21 business. The badge shall, at a minimum, display all of the  
22 following: The name of the person, the name of the business, a  
23 valid telephone number, and a color photograph of the person.  
24 The identification badge shall be approved by the commissioner  
25 of licenses. The commissioner may adjust the requirements of  
26 the badge at his or her discretion.

1           (e) The salesperson shall keep a copy of both  
2 licenses for each person in his or her vehicle during hours of  
3 operation.

4           (f) Any vehicle used by a door-to-door salesperson  
5 shall display a sign on each side of the vehicle, that is at  
6 least 24 inches by 30 inches, and that is clearly visible and  
7 clean. The commissioner of licenses shall approve all vehicle  
8 signs.

9           (g) The commissioner of licenses shall make a  
10 recommendation to the Calhoun County Commission as to the  
11 amount of the fee, and the county commission, by resolution,  
12 shall set the fee for the license.

13           (h) Nothing in this act shall limit or prevent the  
14 sale of charitable items by students to benefit their school,  
15 Girl Scouts, Boy Scouts, or similar organizations, including  
16 volunteer organizations such as volunteer fire departments.

17           (i) A person who engages in the door-to-door sales  
18 or promotions of products or services in violation of this act  
19 shall be guilty of a Class C misdemeanor and may be punished  
20 as provided by law.

21           Section 2. This act shall become effective on the  
22 first day of the third month following its passage and  
23 approval by the Governor, or its otherwise becoming law.