

1 SB301
2 107018-1
3 By Senators Erwin, Glover, Beason, Orr, Holley, Sanford,
4 Waggoner and Brooks
5 RFD: Economic Expansion and Trade
6 First Read: 19-JAN-10

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8 SYNOPSIS: Under existing law, certain terms are
9 defined for purposes of the construction of the
10 Code of Alabama 1975.

11 This bill would define the word "person" as
12 including any human being from the moment of
13 fertilization.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 To amend Section 1-1-1, Code of Alabama 1975,
20 relating to the meanings of certain terms for purposes of the
21 construction of the Code of Alabama 1975, to define the word
22 "person" as including any human being from the moment of
23 fertilization.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 1-1-1, Code of Alabama 1975, is
26 amended to read as follows:

27 "§1-1-1.

1 "The following words, whenever they appear in this
2 Code, shall have the signification attached to them in this
3 section unless otherwise apparent from the context:

4 "(1) PERSON. The word "person" includes a
5 corporation as well as a natural person. The word "person"
6 also includes any human being from the moment of
7 fertilization.

8 "(2) WRITING. The word "writing" includes
9 typewriting and printing on paper.

10 "(3) OATH. The word "oath" includes affirmation.

11 "(4) SIGNATURE or SUBSCRIPTION. The words
12 "signature" or "subscription" include a mark when the person
13 cannot write, if his name is written near the mark, and
14 witnessed by a person who writes his own name as a witness,
15 and include with respect to corporate securities facsimile
16 signature placed upon any instrument or writing with intent to
17 execute or authenticate such instrument or writing.

18 "(5) LUNATIC, INSANE or NON COMPOS MENTIS. The words
19 "lunatic" or "insane" or the term "non compos mentis" include
20 all persons of unsound mind.

21 "(6) PROPERTY. The word "property" includes both
22 real and personal property.

23 "(7) REAL PROPERTY. The term "real property"
24 includes lands, tenements and hereditaments.

25 "(8) PERSONAL PROPERTY. The term "personal property"
26 includes money, goods, chattels, things in action and evidence
27 of debt, deeds and conveyances.

1 "(9) CIRCUIT. The word "circuit" means judicial
2 circuit.

3 "(10) PRECEDING. The word "preceding" means next
4 before.

5 "(11) FOLLOWING. The word "following" means next
6 after.

7 "(12) STATE. The word "state," when applied to the
8 different parts of the United States, includes the District of
9 Columbia and the several territories of the United States.

10 "(13) UNITED STATES. The term "United States"
11 includes the territories thereof and the District of Columbia.

12 "(14) JURY or JURIES. The words "jury" or "juries"
13 include courts or judges in all cases when a jury trial is
14 waived, or when the court or judge is authorized to ascertain
15 and determine the facts as well as the law.

16 "(15) MONTH. The word "month" means a calendar
17 month.

18 "(16) YEAR. The word "year" means a calendar year;
19 but, whenever the word "year" is used in reference to any
20 appropriations for the payment of money out of the treasury,
21 it shall mean fiscal year."

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