

1 SB357
2 117087-1
3 By Senators Mitchem, Bedford, Orr, Butler and Mitchell
4 RFD: Judiciary
5 First Read: 02-FEB-10

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8 SYNOPSIS: Under existing common law, for the purpose
9 of criminal homicide, the death of the victim must
10 occur within a year and a day after the act causing
11 the death.

12 This bill would provide that it would not be
13 a bar to prosecution for criminal homicide if the
14 acts constituting the offense occurred more than a
15 year and a day before the death.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To add Section 13A-3-4 to the Code of Alabama 1975,
22 relating to criminal homicide; to provide that the death of
23 the victim more than a year and a day after the commission of
24 the act or acts constituting the offense would not be a bar or
25 defense to the prosecution.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. This act shall be known as "The Officer
2 Tommy Bishop Act."

3 Section 2. Section 13A-3-4 is added to the Code of
4 Alabama 1975, to read as follows:

5 §13A-3-4.

6 (a) It shall not be a defense or a bar to a
7 prosecution for criminal homicide if the commission of the act
8 or acts constituting the offense occurred more than one year
9 and one day before the death of the victim.

10 (b) This section shall apply to any act or acts
11 occurring after July 1, 2010.

12 Section 3. This act shall become effective on July
13 1, 2010.