

1 SB377  
2 115732-2  
3 By Senators Dunn and Smitherman (N & P)  
4 RFD: Local Legislation No. 2  
5 First Read: 04-FEB-10

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Jefferson County; to prohibit more than  
14 one adult or unrelated juvenile criminal sex offender from  
15 residing in a residence; to provide that no more than one  
16 adult criminal sex offender may reside in an apartment complex  
17 unless there is a distance of at least 100 yards from the  
18 residence of any other offender; to subject the owner or  
19 lessee who permits a violation to a civil penalty; and to  
20 provide exceptions.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. This act shall only apply in Jefferson  
23 County.

24 Section 2. (a) No adult or unrelated juvenile  
25 criminal sex offender may establish a residence or other  
26 living accommodation in a residence where another criminal sex

1 offender whose name appears on the Jefferson County Sheriff's  
2 official published sex offender list resides.

3 (b) No more than one adult criminal sex offender  
4 whose name appears on the Jefferson County Sheriff's official  
5 published sex offender list may establish residence or other  
6 living accommodations in any apartment complex unless there is  
7 a distance of 100 yards or more from the residence in the  
8 apartment complex of any other adult criminal sex offender.

9 (c) The owner or lessee of the property who  
10 knowingly, willingly, or intentionally permits a violation of  
11 subsection (a) or subsection (b) shall be subject to a civil  
12 penalty of five thousand dollars (\$5,000) for each violation.  
13 When collected, those penalties shall be equally distributed  
14 to the Birmingham Police Department Sex Offender Unit and the  
15 Jefferson County Sheriff's Department Sex Offender Unit.

16 (d) An owner or lessee of property shall not be in  
17 violation of subsection (a) or subsection (b) if the sex  
18 offender is the spouse or child of the owner or lessee or if  
19 the spouse or child is the owner or lessee of the property.

20 (e) An owner of property shall not be in violation  
21 of subsection (a) or subsection (b) where the application for  
22 a lease or the lease itself provides a signed statement by the  
23 lessee that the lessee is not a convicted sex offender.

24 Section 3. This act shall become effective on the  
25 first day of the third month following its passage and  
26 approval by the Governor, or its otherwise becoming law.