

1 HB17
2 214571-5
3 By Representatives Reynolds, Whitt, Stringer, Robertson and
4 Simpson
5 RFD: Judiciary
6 First Read: 11-JAN-22
7 PFD: 09/01/2021

1
2 ENROLLED, An Act,

3 Relating to wiretapping; to add a new Chapter 2A to
4 Title 20, Code of Alabama 1975; to authorize the Attorney
5 General to submit an application to a circuit court judge to
6 intercept any wire or electronic communication under certain
7 circumstances; to specify the procedures for obtaining an
8 intercept order, the information that must be included in an
9 intercept order, the limitations of an intercept order, and
10 the means by which the communication is to be intercepted; to
11 provide for the extension of intercept orders under certain
12 conditions; to prohibit the destruction of recorded
13 communications for a specified time frame; to allow an
14 investigative officer to submit a written request to the
15 Attorney General, through the Secretary of the Alabama State
16 Law Enforcement Agency, requesting the Attorney General apply
17 for an intercept order; to specify under what conditions
18 recorded communications may be disclosed; to provide for civil
19 and criminal penalties for violations; to provide penalties
20 for unauthorized disclosures; and in connection therewith
21 would have as its purpose or effect the requirement of a new
22 or increased expenditure of local funds within the meaning of
23 Amendment 621 of the Constitution of Alabama of 1901, as
24 amended by Amendment 890, now appearing as Section 111.05 of

1 the Official Recompilation of the Constitution of Alabama of 1901.
2 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

3 Section 1. This act shall be known and may be cited
4 as the Agent Billy Clardy III Act.

5 Section 2. Chapter 2A, commencing with Sections
6 20-2A-1, is added to Title 20, Code of Alabama 1975, to read
7 as follows:

8 §20-2A-1.

9 For the purposes of this chapter, the following
10 terms shall have the following meanings:

11 (1) AGENCY. Alabama State Law Enforcement Agency.

12 (2) AGGRIEVED INDIVIDUAL. An individual who was a
13 party to an intercepted wire or electronic communication or an
14 individual against whom the interception was directed.

15 (3) ATTORNEY GENERAL. The Attorney General of the
16 State of Alabama or his or her designee.

17 (4) COMMUNICATION COMMON CARRIER. The term as
18 defined in 47 U.S.C. § 153(11) ~~or a provider of communication~~
19 ~~services.~~

20 (5) COMMUNICATIONS SERVICE PROVIDER. A provider of
21 communication service as defined in Section 37-2A-2.

22 ~~(5)~~ (6) CONTENTS. When used with respect to a wire
23 or electronic communication, any information concerning the
24 identity of the parties to the communication or the existence,
25 substance, purport, or meaning of that communication.

1 ~~(6)~~ (7) ELECTRONIC COMMUNICATION. Any transfer of an
2 electronic or other signal, including any fax signal, computer
3 generated signal, other similar signal, or scrambled or
4 encrypted signal transferred via wire, radio, electromagnetic,
5 photoelectric, or photo optical system from one party to
6 another in which the involved parties may reasonably expect
7 the communication to be private.

8 ~~(7)~~ (8) ELECTRONIC, MECHANICAL, OR OTHER DEVICE. A
9 device or apparatus primarily designed or used for the
10 nonconsensual interception of wire or electronic
11 communications.

12 ~~(8)~~ (9) INTERCEPT. The aural or other acquisition of
13 the contents of a wire or electronic communication through the
14 use of an electronic, mechanical, or other device.

15 ~~(9)~~ (10) INVESTIGATIVE OFFICER. A special agent of
16 the agency, a special agent of the Attorney General's office,
17 or any other law enforcement officer of this state designated
18 by the secretary of the agency who meets guidelines
19 established by the secretary and who has successfully
20 completed a training course approved by the Attorney General
21 on the legal and technical aspects of the interception and use
22 of wire or electronic communications.

23 ~~(10)~~ (11) JUDGE OF COMPETENT JURISDICTION. A circuit
24 court judge in the county where the intercept is expected to
25 take place or a circuit court judge designated by the Chief

1 Justice of the Supreme Court or by the Alabama Supreme Court
 2 to hear intercept applications or where the interception takes
 3 place.

4 ~~(11)~~ (12) PROSECUTOR. A district attorney or his or
 5 her designee.

6 ~~(12)~~ (13) SECRETARY. The Secretary of the Alabama
 7 State Law Enforcement Agency or his or her designee.

8 ~~(13)~~ (14) WIRE COMMUNICATION. A communication made
 9 in whole or in part through the use of facilities for the
 10 transmission of communications by the aid of wire, cable, or
 11 other like connection between the point of origin and the
 12 point of reception furnished or operated by an individual
 13 engaged as a communication common carrier or communications
 14 service provider in providing or operating the facilities for
 15 the transmission of communications.

16 §20-2A-2.

17 (a) No individual or other agency, other than the
 18 Alabama State Law Enforcement Agency, may own or possess an
 19 electronic, mechanical, or other device.

20 (b) Only investigative officers may install,
 21 operate, or monitor an electronic, mechanical, or other
 22 device.

23 (c) Any law enforcement officer of this state may
 24 assist in the operation and monitoring of an interception of a

1 wire or electronic communication as long as an investigative
2 officer is present at all times.

3 (d) The agency shall perform audits on the
4 electronic, mechanical, or other devices.

5 (e) The secretary may approve the use of an
6 electronic, mechanical, or other device that is being used by
7 a federal agency, as long as the approval is made in writing
8 and attached to the original affidavit.

9 §20-2A-3.

10 Orders authorizing, approving, or extending the
11 interception of wire or electronic communications may be
12 granted, subject to this chapter, when the intercept may
13 provide or has provided evidence an individual is committing,
14 has committed, or is about to commit a felony drug offense
15 included in Article 5, commencing with Section 13A-12-201, of
16 Chapter 12, of Title 13A.

17 §20-2A-4.

18 (a) (1) An investigative officer may submit a written
19 request to the secretary requesting the secretary apply for an
20 intercept order. If the secretary approves the request, the
21 secretary may submit a written request to the Attorney General
22 requesting the Attorney General apply for an intercept order
23 to a judge of competent jurisdiction. The written request
24 shall be on a form approved by the Attorney General and shall
25 include an affidavit.

1 (2) The affidavit shall include all of the
2 following:

3 a. The identity of the investigating officer making
4 the application.

5 b. A statement of the facts and circumstances relied
6 upon by the applicant to justify the belief that an order
7 should be issued, including all of the following:

8 1. Details of the specific offense that has been
9 committed, is being committed, or will be committed.

10 2. A particular description of the nature and
11 location of the communications facilities from which, or the
12 place where, the communication is to be intercepted.

13 3. A particular description of the type of
14 communication sought to be intercepted.

15 4. The identity of the individual, if known, whose
16 communications are to be intercepted.

17 c. A statement that other investigative procedures
18 have been attempted and failed, reasonably appear to be
19 unlikely to succeed if attempted, or are too dangerous to be
20 attempted.

21 d. A statement of the period of time the intercept
22 is required to be maintained, including a statement of whether
23 the intercept will automatically terminate when the described
24 communication is first obtained. If the authorization for the
25 intercept does not automatically terminate when the described

1 type of communication is obtained, facts that establish
2 probable cause to believe additional communications of the
3 same type will occur.

4 e. A statement of the facts concerning all previous
5 applications known to the applicant, made to any judge for
6 approval of an intercept involving the same individual,
7 facilities, or places specified in the application and the
8 action taken by the judge, if known.

9 f. If the application is for the extension of an
10 order, a statement explaining the results obtained from the
11 intercept or a reasonable explanation of the failure to obtain
12 required results.

13 (b) (1) The Attorney General shall review the request
14 and decide whether it is appropriate to submit an application
15 to a judge of competent jurisdiction for an intercept order.

16 (2) If the Attorney General decides to submit an
17 application, he or she shall notify the secretary or the
18 investigative officer.

19 (3) If the Attorney General declines to submit an
20 application, he or she shall send the secretary or the
21 investigative officer a notice of declination within 10 days.

22 §20-2A-5.

23 (a) Upon receiving an application from the Attorney
24 General for an intercept order, a judge of competent
25 jurisdiction may enter an ex parte intercept order as

1 requested or as modified, authorizing an intercept within the
2 territorial jurisdiction of the court if the judge determines
3 all of the following:

4 (1) There is probable cause to believe that an
5 individual is committing, has committed, or is about to commit
6 a felony drug offense included in Article 5, commencing with
7 Section 13A-12-201, of Chapter 12, of Title 13A.

8 (2) There is probable cause to believe that specific
9 communications concerning that offense will be obtained
10 through the intercept.

11 (3) Normal investigative procedures have been
12 attempted and have failed, reasonably appear to be unlikely to
13 succeed if attempted, or are too dangerous to be attempted.

14 (4) There is probable cause to believe that the
15 facilities from which, or the place where, the wire or
16 electronic communications are to be intercepted are being
17 used, or are about to be used, in connection with the
18 commission of the offense, or are being leased to, listed in
19 the name of, or commonly used by the individual described in
20 the application.

21 (b) Each intercept order authorizing or approving
22 the interception of a wire or electronic communication shall
23 specify all of the following:

24 (1) The identity of the individual, if known, whose
25 communications are to be intercepted.

1 (2) The nature and location of the communications
2 facilities which, or the place where, authority to intercept
3 is granted, and the means by which the intercept may be made.

4 (3) A description of the type of communication
5 sought to be intercepted and a statement of the particular
6 offense to which it relates.

7 (4) The identity of the agency authorized to
8 intercept the communications and the individual requesting the
9 application.

10 (5) The period of time the intercept is authorized,
11 including a statement of whether the intercept automatically
12 terminates when the described communication is first obtained.

13 (c) The intercept order authorizing the intercept,
14 upon request of the applicant, shall direct that a
15 communication common carrier, communications service provider,
16 custodian, or other individual furnish the applicant all
17 information, facilities, and technical assistance necessary to
18 accomplish the intercept unobtrusively and with a minimum of
19 interference with the services that the carrier, custodian, or
20 other individual is providing the individual whose
21 communications are to be intercepted. Any communication common
22 carrier, communications service provider, custodian, or other
23 individual furnishing facilities or technical assistance shall
24 be compensated by the applicant for reasonable expenses

1 incurred in providing facilities or assistance at the
2 prevailing rates.

3 (d) (1) An intercept order entered pursuant to this
4 chapter may not authorize the interception of a wire or
5 electronic communication for any period longer than is
6 necessary to achieve the objective of the authorization, and
7 in no event for more than 30 days. The 30-day period begins
8 either when the investigative officer first begins to conduct
9 an intercept under the intercept order, or 10 days after the
10 order is entered, whichever is sooner.

11 (2) The issuing judge may grant extensions of an
12 intercept order, but only upon an application for an extension
13 made in accordance with this chapter. The period of extension
14 may not be for any period longer than the authorizing judge
15 deems necessary to achieve the objective for which it is
16 granted, and in no event may the extension be for more than 30
17 days. To be valid, each order and extension of an order shall
18 provide that the authorization to intercept be executed as
19 soon as practicable, be conducted in a way that minimizes the
20 interception of communications not otherwise subject to
21 interception under this chapter, and terminate upon obtaining
22 the authorized objective or within 30 days, whichever occurs
23 sooner.

24 (e) Whenever an order authorizing an intercept is
25 entered pursuant to this chapter, the order may require

1 reports to the judge who issued the order showing what
2 progress has been made toward achieving the authorized
3 objective and the need for continued interception. Reports
4 shall be made at any interval required by the judge.

5 (f) A judge who issues an order authorizing the
6 interception of a wire or electronic communication may not
7 hear a criminal prosecution in which evidence derived from the
8 interception may be used or in which the order may be an
9 issue.

10 (g) For jurisdictional purposes, the territorial
11 jurisdiction pursuant to subsection (a) includes both the
12 location of the device and the original listening post. A
13 judge in either jurisdiction, or a circuit court judge
14 designated by the Chief Justice of the Supreme Court or by the
15 Alabama Supreme Court to hear intercept applications, has the
16 authority to issue an intercept order.

17 §20-2A-6.

18 (a) The contents of a wire or electronic
19 communication intercepted by means authorized by this chapter
20 shall be recorded on tape, wire, or other comparable device,
21 to the extent practicable. The recording of the contents of a
22 wire or electronic communication under this section shall be
23 performed in a way that protects the recording from editing or
24 other alterations.

1 (b) Immediately following the expiration of an
2 intercept order, or all extensions, if any, the recordings
3 shall be made available to the judge issuing the order and
4 shall be sealed. Custody of the recordings shall be wherever
5 the judge orders. The recordings may not be destroyed until at
6 least 10 years after the date of expiration of the order and
7 the last extension, if any. A recording may be destroyed only
8 by order of the judge who authorized the interception, or his
9 or her successor.

10 (c) Duplicate recordings may be made for use or
11 disclosure pursuant to Section 20-2A-8 for investigative
12 purposes. One copy shall remain in the custody of the judge
13 and one copy shall be given to the entity that executed the
14 intercept order.

15 (d) The presence of a seal as required in subsection
16 (b), or a satisfactory explanation of its absence, shall be a
17 prerequisite for the use or disclosure of the contents of any
18 wire or electronic communication or any evidence derived from
19 the communication under Section 20-2A-8.

20 (e) A violation of this section shall be punished as
21 contempt of court.

22 §20-2A-7.

23 (a) The judge of competent jurisdiction shall seal
24 each application made, and order granted, under this chapter.
25 Custody of the applications and orders shall be wherever the

1 judge orders. An application or order may be disclosed only
 2 upon a showing of good cause before a judge of competent
 3 jurisdiction. An application or order may not be destroyed
 4 until at least 10 years after the date it was sealed. An
 5 application or order may be destroyed only by order of the
 6 judge who authorized the interception, or his or her
 7 successor.

8 (b) A violation of this section shall be punished as
 9 contempt of court.

10 §20-2A-8.

11 (a) Within a reasonable time, but not later than 90
 12 days after the date an application for an order is denied or
 13 after the date an order, or the last extension, if any,
 14 expires, the judge who granted or denied the application shall
 15 serve an inventory on the individuals named in the order or
 16 the application or any other parties to the intercepted
 17 communications deemed appropriate by the issuing judge, if
 18 any. The inventory shall include a notice of all of the
 19 following:

20 (1) The entry of the order or the application.

21 (2) The date of the entry and the period of
 22 authorized interception or the date of denial of the
 23 application.

24 (3) Whether wire or electronic communications were
 25 intercepted during the authorized period.

1 (b) Upon a motion, the judge may make available for
2 inspection to any individual or individuals whose
3 communications have been intercepted, or their counsel, any
4 portion of an intercepted communication, application, or order
5 the judge determines is in the interest of justice to disclose
6 to that individual.

7 (c) Upon an ex parte showing of good cause to the
8 judge, the serving of the inventory required by this section
9 may be postponed, but evidence derived from an order under
10 this chapter may not be disclosed in any trial until after the
11 inventory has been served.

12 §20-2A-9.

13 (a) The contents of an intercepted wire or
14 electronic communication, or evidence derived from the
15 communication, may not be entered in evidence or otherwise
16 disclosed in a trial, hearing, or other proceeding in a
17 federal or state court unless each party has been furnished a
18 copy of the court order and application under which the
19 intercept was authorized or approved, at least 10 days before
20 the date of the trial, hearing, or other proceeding. The
21 10-day period may be waived by the judge if he or she finds it
22 is not possible to furnish the party with the information 10
23 days before the trial, hearing, or proceeding and that the
24 party will not be prejudiced by the delay in receiving the
25 information.

1 (b) An aggrieved individual charged with an offense
2 in a trial, hearing, or proceeding in or before a court,
3 department, officer, agency, regulatory body, or other
4 authority of the United States or of this state or a political
5 subdivision of this state, may move to suppress the contents
6 of an intercepted wire or electronic communication or evidence
7 derived from the communication on any of the following
8 grounds:

9 (1) The communication was unlawfully intercepted.

10 (2) The order authorizing the interception is
11 insufficient on its face.

12 (3) The interception was not made in conformity with
13 the order.

14 (c) The motion to suppress shall be made before the
15 trial, hearing, or proceeding, unless there was no opportunity
16 to make the motion before the trial, hearing, or proceeding,
17 or the individual was not aware of the grounds of the motion
18 before the trial, hearing, or proceeding. The hearing on the
19 motion shall be held in camera upon the written request of the
20 aggrieved individual. If the motion is granted, the contents
21 of the intercepted wire or electronic communication, and
22 evidence derived from the communication, shall be treated as
23 inadmissible evidence. The judge, on the filing of the motion
24 by the aggrieved individual, shall make available for
25 inspection to the aggrieved individual, or his or her counsel,

1 any portion of the intercepted communication, or evidence
2 derived from the communication, that the judge determines is
3 in the interest of justice to make available.

4 §20-2A-10.

5 (a) Any law enforcement officer who obtains, by any
6 means authorized by this chapter, knowledge of the contents of
7 a wire or electronic communication, or evidence derived from
8 the communication, may disclose the contents, or evidence
9 derived, to another law enforcement officer if the disclosure
10 is appropriate to the proper performance of the official
11 duties of the officer making or receiving the disclosure.

12 (b) Any law enforcement officer who obtains, by any
13 means authorized by this chapter, knowledge of the contents of
14 a wire or electronic communication, or evidence derived from
15 the communication, may use the contents, or evidence derived,
16 if the use is appropriate to the proper performance of the
17 official duties of the officer.

18 (c) Any individual who receives, by any means
19 authorized by this chapter, information concerning a wire or
20 electronic communication, or evidence derived from the
21 communication, may disclose the contents of the communication,
22 or evidence derived from the communication, while giving
23 testimony in any proceeding held under the authority of the
24 United States, this state, or a political subdivision of this
25 state.

1 (d) No privileged wire or electronic communication
2 intercepted in accordance with, or in violation of, this
3 chapter shall lose its privileged character.

4 (e) When an investigative officer, while engaged in
5 intercepting wire or electronic communications in a manner
6 authorized by this chapter, intercepts communications relating
7 to an offense other than those specified in the intercept
8 order, the contents of, and evidence derived from, the
9 communication may be disclosed or used as provided by
10 subsection (a) and (b). The contents of, and any evidence
11 derived from the communication may be used under subsection
12 (c) when a judge of competent jurisdiction finds, on a
13 subsequent application, that the contents were otherwise
14 intercepted in accordance with this chapter. The subsequent
15 application shall be made as soon as practicable.

16 §20-2A-11.

17 (a) On or before January 31 of each year, any judge
18 who has issued an order, or an extension of an order, pursuant
19 to Section 20-2A-5 that expired during the preceding year, or
20 who has denied approval of an intercept order during the
21 preceding year, shall report to the Administrative Office of
22 the United States Courts all of the following:

- 23 (1) The fact that an order or extension was sought.
24 (2) The kind of order or extension sought.

1 (3) The fact that the order or extension was granted
2 as applied for, was modified, or was denied.

3 (4) The period of intercepts authorized by the order
4 and the number and duration of any extensions of the order.

5 (5) The offense specified in the order, application,
6 or extension.

7 (6) The identity of the officer making the request
8 and the individual authorizing the application.

9 (7) The nature of the facilities or the place where
10 communications were to be intercepted.

11 (b) On or before March 31 of each year, the Attorney
12 General shall report to the Administrative Office of the
13 United States Courts the following information for the
14 preceding calendar year:

15 (1) The information required by subsection (a) with
16 respect to each application for an order or extension made.

17 (2) A general description of the intercepts made
18 under each order or extension, including the approximate
19 nature and frequency of incriminating communications
20 intercepted, the approximate nature and frequency of other
21 communications intercepted, the approximate number of
22 individuals whose communications were intercepted, and the
23 approximate nature, amount, and cost of the manpower and other
24 resources used in the interceptions.

1 (3) The number of arrests resulting from
2 interceptions made under each order or extension and the
3 offenses for which arrests were made.

4 (4) The number of trials resulting from intercepts.

5 (5) The number of motions to suppress made with
6 respect to intercepts and the number granted or denied.

7 (6) The number of convictions resulting from
8 intercepts, the offenses for which the convictions were
9 obtained, and a general assessment of the importance of the
10 intercepts.

11 (7) The information required by subdivisions (2)
12 through (6) with respect to orders or extensions obtained.

13 (c) Any judge required to file a report with the
14 Administrative Office of the United States Courts and the
15 Attorney General shall forward a copy of the report to the
16 secretary by March 15 of each year.

17 (d) On or before April 15 of each year, the
18 secretary shall submit to the Alabama Administrative Office of
19 Courts a report of all intercepts conducted pursuant to this
20 chapter and terminated during the preceding calendar year.
21 Such report shall include all of the following:

22 (1) All reports received by judges and the report
23 received by the Attorney General, as required by this section.

1 (2) The number of agency personnel and other
2 designated law enforcement officers authorized to possess,
3 install, or operate electronic, mechanical, or other devices.

4 (3) The number of agency personnel and other
5 designated law enforcement officers who participated or
6 engaged in the seizure of intercepts pursuant to this chapter
7 during the preceding calendar year.

8 (4) The total cost to the agency of all activities
9 and procedures relating to the seizure of intercepts during
10 the preceding calendar year, including costs of equipment,
11 manpower, and expenses incurred as compensation for use of
12 facilities or technical assistance provided by the agency.

13 (e) On or before April 15 of each year, the
14 secretary shall submit to the Legislative Council a report of
15 all intercepts conducted pursuant to this chapter and
16 terminated during the preceding calendar year.

17 §20-2A-12.

18 (a) An individual whose wire or electronic
19 communication is intercepted, disclosed, or used in violation
20 of this chapter shall have a civil cause of action against any
21 individual who intercepts, discloses, or uses or procures
22 another individual to intercept, disclose, or use the
23 communication, and is entitled to recover from the individual
24 or entity which engaged in the violation any of the following:

25 (1) Actual damages.

1 (2) Punitive damages.

2 (3) Reasonable attorney's fees and other litigation
3 costs reasonably incurred.

4 (b) This section does not apply to any of the
5 following individuals if acting in a reasonable manner
6 pursuant to this chapter:

7 (1) An operator of a switchboard, or an officer,
8 employee, or agent of a communication common carrier or a
9 communications service provider whose facilities are used in
10 the transmission of a wire communication, who intercepts a
11 communication, or who discloses or uses an intercepted
12 communication in the normal course of employment while engaged
13 in an activity that is a necessary incident to the rendition
14 of service or to the protection of the rights or property of
15 the carrier of the communication.

16 (2) An officer, employee, or agent of a
17 communication common carrier or communications service
18 provider who employs or uses any equipment or device that may
19 be attached to any telephonic equipment of any subscriber
20 which permits the interception and recording of any telephonic
21 communications solely for the purposes of business service
22 improvements.

23 (3) An officer, employee, or agent of a
24 communication common carrier or communications service
25 provider who provides information, facilities, or technical

1 assistance to an investigative officer who is authorized as
2 provided by this chapter to intercept a wire or electronic
3 communication.

4 (4) An individual acting under authority of law who
5 intercepts a wire or electronic communication if the
6 individual is a party to the communication, or if one of the
7 parties to the communication has given prior consent to the
8 interception.

9 (5) An individual not acting under authority of law
10 who intercepts a wire or electronic communication if the
11 individual is a party to the communication, or if one of the
12 parties to the communication has given prior consent to the
13 interception, unless the communication is intercepted for the
14 purpose of committing any criminal or tortious act in
15 violation of the Constitution or laws of the United States or
16 of this state or for the purpose of committing any other
17 injurious act.

18 (c) A good faith reliance on a court order is a
19 complete defense to any civil cause of action brought under
20 this chapter.

21 §20-2A-13.

22 Any individual who knowingly and intentionally
23 possesses, installs, operates, or monitors an electronic,
24 mechanical, or other device in violation of this chapter shall
25 be guilty of a Class C felony.

1 §20-2A-14.

2 (a) This chapter does not apply to an individual who
 3 is a subscriber to a ~~telephone~~ service operated by a
 4 communication common carrier or communications service
 5 provider and who intercepts a communication on a telephone or
 6 similarly used device to which he or she subscribes.

7 (b) This chapter does not apply to individuals who
 8 are members of the household of the subscriber who intercepts
 9 communications on a telephone or similarly used device in the
 10 home of the subscriber.

11 §20-2A-15.

12 The secretary may issue an administrative subpoena
 13 to a communication common carrier or a ~~provider of~~
 14 ~~communication services~~ communications service provider to
 15 compel production of business records if the records requested
 16 satisfy both of the following:

17 (1) Are local or long-distance toll records or
 18 subscriber information.

19 (2) Are material to an active investigation of a
 20 felony violation of the Alabama Uniform Controlled Substance
 21 Act, as provided in Chapter 2, being conducted by a special
 22 agent of the agency.

23 §20-2A-16. This article shall be repealed on
 24 February 1, 2026, unless extended by an act of the
 25 Legislature.

1 The provisions of this article shall be limited to
2 investigations initiated by law enforcement officers and law
3 enforcement agencies, as defined in Section 36-21-40.

4 Section 3. Although this bill would have as its
5 purpose or effect the requirement of a new or increased
6 expenditure of local funds, the bill is excluded from further
7 requirements and application under Amendment 621, as amended
8 by Amendment 890, now appearing as Section 111.05 of the
9 Official Recompilation of the Constitution of Alabama of 1901,
10 as amended, because the bill defines a new crime or amends the
11 definition of an existing crime.

12 Section 4. This act shall become effective on
13 February 1, 2023, following its passage and approval by the
14 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 09-FEB-22, as amended.

Jeff Woodard
Clerk

Senate	<hr/> 15-MAR-22 <hr/>	Amended and Passed
House	<hr/> 29-MAR-22 <hr/>	Concurred in Senate Amendment