- 1 HB153
- 2 197017-3
- 3 By Representatives Robertson, Estes, Stringer, Marques,
- 4 Reynolds, Pettus, Rowe, Simpson and Polizos
- 5 RFD: Judiciary
- 6 First Read: 19-MAR-19

1	<u>ENGROSSED</u>
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to crimes; to create the crime of making a
9	false statement to a law enforcement officer; and in
10	connection therewith would have as its purpose or effect the
11	requirement of a new or increased expenditure of local funds
12	within the meaning of Amendment 621 of the Constitution of
13	Alabama of 1901, now appearing as Section 111.05 of the
14	Official Recompilation of the Constitution of Alabama of 1901,
15	as amended.
16	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
17	Section 1. (a) A person commits the crime of making
18	a false statement to a law enforcement officer if, during the
19	course of a criminal investigation of a Class A or B felony,
20	he or she knowingly does any of the following:
21	(1) Falsifies, conceals, or covers up by any trick,
22	scheme, or device a material fact.
23	(2) Makes a a materially false, fictitious, or
24	fraudulent statement or representation to a law enforcement
25	officer.
26	(3) Makes or uses a false writing or document
27	knowing the writing or document contains any materially false,

fictitious, or fraudulent statement or entry to a law 1 2 enforcement officer. (b) Making a false statement to a law enforcement 3 officer is a Class C felony. 4 5 (c) This section does not apply to a person who provides a false denial of quilt in response to questions 7 initiated by a law enforcement officer or other agent of the 8 state, a county, or a municipality. 9 (d) Section 1 (a) paragraphs (2) and (3) do not 10 apply if the law enforcement officer does not provide the following warning prior to interviewing a person or requesting 11 12 a written statement from that person. 13 "We are conducting a criminal investigation into a 14 felony and we have some questions to ask you. Any knowingly 15 false statement or writing to a law enforcement officer during 16 this investigation is subject to criminal prosecution." 17 (d) (e) As used in this section, the following terms have the following meanings: 18 (1) CRIMINAL INVESTIGATION. An investigation into an 19 2.0 alleged Class A or B misdemeanor or felony by a law enforcement officer. 21 2.2 (2) LAW ENFORCEMENT OFFICER. An on-duty state, county, or municipal law enforcement officer with the power of 23 24 arrest. 25 Section 2. Although this bill would have as its

expenditure of local funds, the bill is excluded from further

purpose or effect the requirement of a new or increased

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requirements and application under Amendment 621, now
appearing as Section 111.05 of the Official Recompilation of
the Constitution of Alabama of 1901, as amended, because the
bill defines a new crime or amends the definition of an
existing crime.

Section 3. This act shall become effective on the
first day of the third month following its passage and

approval by the Governor, or its otherwise becoming law.

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Judiciary 19-MAR-19
8 9 10	Read for the second time and placed on the calendar 1 amendment 18-APR-19
11 12 13	Read for the third time and passed as amended 23-MAY-19 Yeas 101, Nays 0, Abstains 0
14 15 16	Jeff Woodard Clerk