

1 HB59
2 180306-3
3 By Representative Johnson (R)
4 RFD: Judiciary
5 First Read: 07-FEB-17
6 PFD: 01/25/2017

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2 ENROLLED, An Act,

3 Relating to fire safety; to prohibit the release of
4 sky lanterns under certain conditions; to provide penalties;
5 and in connection therewith would have as its purpose or
6 effect the requirement of a new or increased expenditure of
7 local funds within the meaning of Amendment 621 of the
8 Constitution of Alabama of 1901, now appearing as Section
9 111.05 of the Official Recompilation of the Constitution of
10 Alabama of 1901, as amended.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. ~~(a) For the purpose of this section, a~~
13 ~~"sky lantern" means an unmanned self-contained free-floating~~
14 ~~luminary device requiring an open flame underneath, such as a~~
15 ~~candle, for propulsion.~~

16 ~~(b) It shall be unlawful to possess, sell at retail,~~
17 ~~offer to sell at retail, distribute, or give away a sky~~
18 ~~lantern in this state.~~

19 (a) As used in this section, the following words
20 have the following meanings:

21 (1) PUBLIC GATHERING. The presence of more than 500
22 members of the public in an outdoor place for the purpose of
23 attending a sporting contest, auto race, concert, festival,
24 political rally, parade, or similar event.

1 (2) SKY LANTERN. An unmanned self-contained
2 free-floating luminary device requiring an open flame
3 underneath, such as a candle, for propulsion.

4 (b) It is unlawful to release a sky lantern within
5 500 yards of a public gathering.

6 (c) A violation of this section is a criminal
7 violation punishable pursuant to Section 13A-5-12, Code of
8 Alabama 1975.

9 Section 2. Although this bill would have as its
10 purpose or effect the requirement of a new or increased
11 expenditure of local funds, the bill is excluded from further
12 requirements and application under Amendment 621 because the
13 bill defines a new crime or amends the definition of an
14 existing crime.

15 Section 3. This act shall become effective ~~on the~~
16 ~~first day of the third month~~ immediately following its passage
17 and approval by the 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-MAR-17, as amended.

Jeff Woodard
Clerk

Senate	<hr/> 27-APR-17 <hr/>	Amended and Passed
House	<hr/> 16-MAY-17 <hr/>	Concurred in Sen- ate Amendment