

1 HB40
2 165421-3
3 By Representatives Pringle, Lee, Poole, Brown, Wood, Boothe,
4 Hubbard, Weaver, Harper, Hill (M), Tuggle, Moore (B), Greer,
5 McMillan, Sessions, Ball, Baker, Davis, Rowe, Holmes (M),
6 Chesteen, Farley, Clouse, Ingram, Sells, Butler, Rich, Fridy,
7 Hill (J), Garrett, Faulkner, Martin, Williams (JW),
8 McCutcheon, Ledbetter, Wilcox, Hanes, Henry and Pettus
9 RFD: State Government
10 First Read: 03-MAR-15
11 PFD: 02/18/2015

1
2 ENROLLED, An Act,

3 Relating to the Code of Alabama 1975; to repeal
4 Sections 2-2-110 to 2-2-114, inclusive, 2-17-26, 3-1-20,
5 3-1-23 to 3-1-25, inclusive, 5-14A-1 to 5-14A-8, inclusive,
6 5-16-1 to 5-16-53, inclusive, 9-2-16, 9-11-52, 9-11-235.1,
7 9-11-247 to 9-11-249, inclusive, 9-11-262, 9-11-306, 9-12-2,
8 9-12-45, 9-12-112, 11-47-12, 12-21-92, 13A-11-222 and
9 13A-11-223, 13A-12-1, 13A-12-5, 13A-12-2, 13A-14-3, 14-1-8 to
10 14-1-11, inclusive, 14-1-13, 14-3-1, 14-3-6 to 14-3-8,
11 inclusive, 14-3-11, 14-3-33, 14-3-39, 14-3-41, 14-3-42,
12 14-3-46, 14-3-48, 14-3-49, 14-3-50 to 14-3-53, inclusive,
13 14-3-56, 14-3-59, 14-3-60, 14-4-1, 14-4-3, 14-4-7, 14-4-8,
14 14-5-7, 14-5-9, 14-5-30 to 14-5-37, inclusive, 14-6-60 to
15 14-6-62, inclusive, 14-6-81 to 14-6-85, inclusive, 14-6-86 to
16 14-6-92, inclusive, 14-6-98, 14-6-100 to 14-6-102, inclusive,
17 14-6-105 to 14-6-108, inclusive, 14-8-33, 14-9-3, 14-10-3,
18 14-11-1 to 14-11-3, inclusive, 14-11-5, 15-4-11, 16-6-1 to
19 16-6-6, inclusive, 16-15-1 to 16-15-13, inclusive, 16-17-1 to
20 16-17-19, inclusive, 16-29-1 to 16-29-6, inclusive, 16-60-210
21 to 16-60-221, inclusive, 20-1-28 to 20-1-30, inclusive, 21-3-4
22 to 21-3-8, inclusive, 22-13-1, 22-6-5.1, 22-52-70 to 22-52-72,
23 inclusive, 22-52-50 to 22-52-58, inclusive, 25-1-2, 27-1-8,
24 27-1-9, 27-26-20 to 27-26-43, inclusive, 28-3-17, 30-1-3,
25 30-2-12, 30-4-3, 31-9-7, 32-4-3, 32-4-4, 34-6-6, 34-6-9,

1 34-6-14, 37-8-160, 37-8-213, 40-12-76, 40-12-77, 40-12-85,
2 40-12-86, 40-12-95, 40-12-109, 40-12-119, 40-12-120,
3 40-12-132, 40-12-142, 40-12-164, 40-12-170, 40-12-173,
4 40-12-175, 40-12-423, 40-20-14, 41-6A-8 to 41-6A-11,
5 inclusive, 41-8A-3 and 41-8A-5 to 41-8A-12, inclusive,
6 41-9-220, and 41-9-900 to 41-9-906, inclusive, Code of Alabama
7 1975.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. The following sections of the Code of
10 Alabama 1975, are repealed:

11 (1) Sections 2-2-110 to 2-2-114, inclusive, Code of
12 Alabama 1975, relating to the Public Interest Energy and Fuel
13 Research and Development Grants Program.

14 (2) Section 2-17-26, Code of Alabama 1975, relating
15 to the Meat and Poultry Inspection Advisory Council.

16 (3) Section 3-1-20, Code of Alabama 1975, relating
17 to sale or purchase of animals or fowl after dark.

18 (4) Sections 3-1-23 to 3-1-25, inclusive, Code of
19 Alabama 1975, relating to the burning of the teeth of a horse,
20 mule, etc.

21 (5) Sections 5-14A-1 to 5-14A-8, inclusive, Code of
22 Alabama 1975, relating to the Regional Reciprocal Savings
23 Institutions, which are no longer licensed in this state.

1 (6) Sections 5-16-1 to 5-16-53, inclusive, Code of
2 Alabama 1975, relating to savings and loan associations, which
3 are no longer licensed in this state.

4 (7) Section 9-2-16, Code of Alabama 1975, relating
5 to the Director of Irrigation.

6 (8) Section 9-11-52, Code of Alabama 1975, relating
7 to dog trainer licenses.

8 (9) Section 9-11-235.1, Code of Alabama 1975,
9 relating to hunting raccoons or opossums at night.

10 (10) Sections 9-11-247 to 9-11-249, inclusive, Code
11 of Alabama 1975, relating to "coon on the log" contests.

12 (11) Section 9-11-262, Code of Alabama 1975,
13 relating to bounties on beavers.

14 (12) Section 9-11-306, Code of Alabama 1975,
15 relating to impoundment of dogs in wildlife management areas.

16 (13) Section 9-12-2, Code of Alabama 1975, relating
17 to use of posse comitatus to assist a sheriff.

18 (14) Section 9-12-45, Code of Alabama 1975, relating
19 to tax on terrapins caught for commercial purposes.

20 (15) Section 9-12-112, Code of Alabama 1975,
21 relating to the killing of garfish.

22 (16) Section 11-47-12, Code of Alabama 1975,
23 relating to storage facilities for gunpowder.

1 (17) Section 12-21-92, Code of Alabama 1975,
2 relating to publishing of foreign interest rates by the
3 Secretary of State.

4 (18) Sections 13A-11-222 and 13A-11-223, Code of
5 Alabama 1975, relating to telephone party lines.

6 (19) Sections 13A-12-1 and 13A-12-2, Code of Alabama
7 1975, relating to certain acts on Sunday.

8 (20) Section 13A-14-3, Code of Alabama 1975,
9 relating to marathons and similar contests.

10 (21) Section 13A-12-5, Code of Alabama 1975,
11 relating to the crime of bear wrestling and the holding of
12 bear wrestling matches.

13 (22) Sections 14-1-8 to 14-1-11, inclusive, Code of
14 Alabama 1975, relating to the Alabama Board of Corrections.

15 (23) Section 14-1-13, Code of Alabama 1975, relating
16 to the annual report to the Governor and Legislature by the
17 Board of Corrections.

18 (24) Section 14-3-1, Code of Alabama 1975, relating
19 to the duties of the Board of Corrections.

20 (25) Sections 14-3-6 to 14-3-8, inclusive, Code of
21 Alabama 1975, relating to the handling of records,
22 correspondence, and other public documents by the Board of
23 Corrections.

24 (26) Section 14-3-11, Code of Alabama 1975, relating
25 to reports to the Legislature by the Board of Corrections.

1 (27) Section 14-3-33, Code of Alabama 1975, relating
2 to delivery of convicts by the sheriff.

3 (28) Section 14-3-39, Code of Alabama 1975, relating
4 to female guards for female convicts.

5 (29) Section 14-3-41, Code of Alabama 1975, relating
6 to the separation of convicts suffering from tuberculosis.

7 (30) Section 14-3-42, Code of Alabama 1975, relating
8 to removal of convicts that are insane.

9 (31) Section 14-3-46, Code of Alabama 1975, relating
10 to the purchase of Bibles for convicts.

11 (32) Section 14-3-48, Code of Alabama 1975, relating
12 to inmates working on Sundays and holidays.

13 (33) Section 14-3-49, Code of Alabama 1975, allowing
14 inmates to work for themselves upon approval of the Board of
15 Corrections.

16 (34) Sections 14-3-50 to 14-3-53, inclusive, Code of
17 Alabama 1975, relating to confinement cells and punishment
18 guidelines.

19 (35) Section 14-3-56, Code of Alabama 1975, relating
20 to crimes committed by inmates while incarcerated and the
21 availability of bail.

22 (36) Section 14-3-59, Code of Alabama 1975, relating
23 to posting of regulations regarding escape in prisons.

24 (37) Section 14-3-60, Code of Alabama 1975, relating
25 to the prohibition of liquor on prison grounds.

1 (38) Section 14-4-1, Code of Alabama 1975, relating
2 to the application of state laws to county convicts.

3 (39) Section 14-4-3, Code of Alabama 1975, relating
4 to maintenance of records regarding county convicts by the
5 Board of Corrections.

6 (40) Section 14-4-7, Code of Alabama 1975, relating
7 to work by women inmates on public highways.

8 (41) Section 14-4-8, Code of Alabama 1975, relating
9 to meals for inmates at noon.

10 (42) Section 14-5-7, Code of Alabama 1975, relating
11 to work on drains and levees by state convicts.

12 (43) Section 14-5-9, Code of Alabama 1975, relating
13 to agreements to allow inmates to work on drains and levees.

14 (44) Sections 14-5-30 to 14-5-37, inclusive, Code of
15 Alabama 1975, relating to the creation of manual labor work
16 camps.

17 (45) Sections 14-6-60 to 14-6-62, inclusive, Code of
18 Alabama 1975, relating to patients with tuberculosis and state
19 hospitals.

20 (46) Sections 14-6-81 to 14-6-85, inclusive, Code of
21 Alabama 1975, relating to the inspection of county jails by
22 the Board of Corrections and condemnation of a jail by the
23 Board of Corrections.

1 (47) Sections 14-6-86 to 14-6-92, inclusive, Code of
2 Alabama 1975, relating to sanitation requirements of municipal
3 and county jails and enforcement by the Board of Corrections.

4 (48) Section 14-6-98, Code of Alabama 1975,
5 requiring sheriffs to provide monthly inmate reports to the
6 Board of Corrections.

7 (49) Sections 14-6-100 to 14-6-102, inclusive, Code
8 of Alabama 1975, relating to grand jury reports regarding
9 inspection of jails and report to the Board of Corrections.

10 (50) Sections 14-6-105 to 14-6-108, inclusive, Code
11 of Alabama 1975, relating to night watchmen at prisons, a
12 determination of necessity by the Board of Corrections, and
13 inspection of insane asylums by the Board of Corrections.

14 (51) Section 14-8-33, Code of Alabama 1975, adoption
15 of rules limiting confinement of inmates by a county.

16 (52) Section 14-9-3, Code of Alabama 1975, relating
17 to inmate donations of blood.

18 (53) Section 14-10-3, Code of Alabama 1975, relating
19 to criminal penalty for wrongful discharge of inmate by public
20 official.

21 (54) Sections 14-11-1 to 14-11-3, inclusive, Code of
22 Alabama 1975, relating to criminal penalties for overworking
23 an inmate, unlawful detainment of an inmate, and failing to
24 appear as a witness when called by the Board of Corrections.

1 (55) Section 14-11-5, Code of Alabama 1975, relating
2 to criminal penalties for officers who wrongfully allow
3 inmates out of solitary confinement.

4 (56) Section 15-4-11, Code of Alabama 1975, relating
5 to fees for autopsies and examinations.

6 (57) Sections 16-6-1 to 16-6-6, inclusive, Code of
7 Alabama 1975, relating to the Alabama Education Study
8 Commission.

9 (58) Sections 16-15-1 to 16-15-13, inclusive, Code
10 of Alabama 1975, relating to the Alabama Education Authority.

11 ~~(59) Sections 16-17-1 to 16-17-19, inclusive, Code~~
12 ~~of Alabama 1975, relating to education building authorities.~~

13 ~~(60)~~ (59) Sections 16-29-1 to 16-29-6, inclusive,
14 Code of Alabama 1975, relating to mental and physical
15 examinations of school children.

16 ~~(61)~~ (60) Sections 16-60-210 to 16-60-221,
17 inclusive, Code of Alabama 1975, relating to Alabama School of
18 Trades.

19 ~~(62)~~ (61) Sections 20-1-28 to 20-1-30, inclusive,
20 Code of Alabama 1975, relating to regulations governing soft
21 drinks colored with coal tar or artificial sweeteners, certain
22 citrus fruits and artificially colored potatoes, which are no
23 longer enforced.

1 ~~(63)~~ (62) Sections 21-3-4 to 21-3-8, inclusive, Code
2 of Alabama 1975, relating to health officers compiling lists
3 of children with malformations.

4 ~~(64)~~ (63) Section 22-6-5.1, Code of Alabama 1975,
5 relating to the collection of nursing home patients' income by
6 tax collector.

7 ~~(65)~~ (64) Section 22-13-1, Code of Alabama 1975,
8 relating to care and treatment of indigent persons with
9 cancer.

10 ~~(66)~~ (65) Sections 22-52-50 to 22-52-58, inclusive,
11 Code of Alabama 1975, relating to mentally retarded persons
12 admitted into state institutions.

13 ~~(67)~~ (66) Sections 22-52-70 to 22-52-72, inclusive,
14 Code of Alabama 1975, relating to commitment of mentally ill
15 prisoners, which is processed through interagency agreements.

16 ~~(68)~~ (67) Section 25-1-2, Code of Alabama 1975,
17 relating to separate bathrooms for women.

18 ~~(69)~~ (68) Sections 27-1-8 and 27-1-9, Code of
19 Alabama 1975, relating to life insurance company investments,
20 which are superseded by the Investment Act.

21 ~~(70)~~ (69) Sections 27-26-20 to 27-26-43, inclusive,
22 Code of Alabama 1975, relating to the Medical Liability Joint
23 Underwriting Association, which were never put into practice
24 and are no longer necessary due to the licensure of the Mutual
25 Assurance Society.

1 ~~(71)~~ (70) Section 28-3-17, Code of Alabama 1975,
2 relating to the location of state liquor stores, which has
3 been ruled unconstitutional.

4 ~~(72)~~ (71) Section 30-1-3, Code of Alabama 1975,
5 relating to incestuous marriages.

6 ~~(73)~~ (72) Section 30-2-12, Code of Alabama 1975,
7 relating to divorce for pregnancy of wife at the time of
8 marriage.

9 ~~(74)~~ (73) Section 30-4-3, Code of Alabama 1975,
10 relating to clothes of wife separate from husband.

11 ~~(75)~~ (74) Section 31-9-7, Code of Alabama 1975,
12 relating to Interstate aid agreements and compacts, which is
13 covered by another section of the Code of Alabama 1975.

14 ~~(76)~~ (75) Sections 32-4-3 and 32-4-4, Code of
15 Alabama 1975, relating to the Office of Highway and Traffic
16 Safety.

17 ~~(77)~~ (76) Sections 32-14-1 to 32-14-6, inclusive,
18 and 32-14-20 to 32-14-24, inclusive, Code of Alabama 1975,
19 relating to licensure of driver training schools, which the
20 State Superintendent of Education no longer issues.

21 ~~(78)~~ (77) Section 34-6-6, Code of Alabama 1975,
22 relating to curtains and blinds required for pool halls.

23 ~~(79)~~ (78) Section 34-6-9, Code of Alabama 1975,
24 relating to persons under 19 prohibited from entering pool
25 hall.

1 ~~(80)~~ (79) Section 34-6-14, Code of Alabama 1975,
2 relating to betting in pool halls and bowling alleys.

3 ~~(81)~~ (80) Section 37-8-160, Code of Alabama 1975,
4 relating to the drinking of liquor on trains.

5 ~~(82)~~ (81) Section 37-8-213, Code of Alabama 1975,
6 relating to refusal to yield a telephone party line in an
7 emergency.

8 ~~(83)~~ (82) Sections 40-12-76 and 40-12-77, Code of
9 Alabama 1975, relating to coal and coke dealers.

10 ~~(84)~~ (83) Sections 40-12-85 and 40-12-86, Code of
11 Alabama 1975, relating to cotton licenses.

12 ~~(85)~~ (84) Section 40-12-95, Code of Alabama 1975,
13 relating to devices used for testing skill and strength.

14 ~~(86)~~ (85) Section 40-12-109, Code of Alabama 1975,
15 relating to hat cleaning establishment licenses.

16 ~~(87)~~ (86) Section 40-12-119, Code of Alabama 1975,
17 relating to Legerdemain and sleight of hand license.

18 ~~(88)~~ (87) Section 40-12-120, Code of Alabama 1975,
19 relating to lightning rod license tax.

20 ~~(89)~~ (88) Section 40-12-132, Code of Alabama 1975,
21 relating to moving picture shows.

22 ~~(90)~~ (89) Section 40-12-142, Code of Alabama 1975,
23 relating to pig iron storage operators license, due to the
24 issuance of no licenses.

1 ~~(91)~~ (90) Section 40-12-164, Code of Alabama 1975,
2 relating to supply cars license, due to the issuance of no
3 licenses.

4 ~~(92)~~ (91) Section 40-12-170, Code of Alabama 1975,
5 relating to trading stamps license.

6 ~~(93)~~ (92) Section 40-12-173, Code of Alabama 1975,
7 relating to theatrical and vaudeville shows license.

8 ~~(94)~~ (93) Section 40-12-175, Code of Alabama 1975,
9 relating to turpentine and resin license.

10 ~~(95)~~ (94) Section 40-12-423, Code of Alabama 1975,
11 relating to returning license plates from dismantled cars to
12 the Department of Revenue.

13 ~~(96)~~ (95) Section 40-20-14, Code of Alabama 1975,
14 relating to tax credits for direct reduced iron.

15 ~~(97)~~ (96) Sections 41-6A-8 to 41-6A-11, inclusive,
16 Code of Alabama 1975, relating to the Alabama Energy
17 Management and Conservation Act of 1980, which created the
18 Department of Energy.

19 ~~(98)~~ (97) Sections 41-8A-3 and 41-8A-5 to 41-8A-12,
20 inclusive, Code of Alabama 1975, relating to the Alabama Law
21 Enforcement Planning Agency.

22 ~~(99)~~ (98) Section 41-9-220, Code of Alabama 1975,
23 relating to the University of Alabama Gorgas Memorial Board.

1 ~~(100)~~ (99) Sections 41-9-900 to 41-9-906, inclusive,
2 relating to the Alabama Insurance Board, due to inactivity of
3 the board.

4 Section 2. (a) For fiscal years 2017, 2018, and
5 2019, supervision and inspection fees for telecommunications
6 carriers subject to Section 37-2A-10(1), (2), or (4), Code of
7 Alabama 1975, shall be reduced in three equal installments
8 representing, in total, the difference in fees paid by a
9 carrier in fiscal year 2015 and the amount of fees calculated
10 pursuant to Section 37-2-41, Code of Alabama 1975, for fiscal
11 year 2015. For fiscal year 2020 and subsequent years, fees for
12 telecommunications carriers subject to Chapter 2A, Title 37,
13 Code of Alabama 1975, shall be paid pursuant to the formula
14 contained in Section 37-2-41, Code of Alabama 1975.

15 (b) Effective October 1, 2019, Section 37-2A-10,
16 relating to supervision and inspection fees, is repealed.

17 Section 3. The Code Commissioner shall identify any
18 board, commission, council, task force, or similar entity that
19 is defunct or has been inactive by not holding a meeting
20 within the last four years of the effective date of this act
21 and report the list of such entities to the Speaker of the
22 House of Representatives and the President Pro Tempore of the
23 Senate on or before January 1, 2016, for consideration of a
24 repeal of any law or resolution granting authority to such
25 board, commission, council, task force, or similar entity.

1 Section 4. The provisions of this act are severable.
2 If any part of this act is declared invalid or
3 unconstitutional, that declaration shall not affect the part
4 which remains.

5 Section 5. Subdivisions ~~(83) through (94)~~ (82)
6 through (93), inclusive, of Section 1 shall become effective
7 on October 1, 2015. Section 2 shall become effective
8 immediately and shall apply as provided in that section. The
9 remaining portions of the act shall become effective
10 immediately following its passage and approval by the
11 Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

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 11-MAR-15, as amended.

Jeff Woodard
Clerk

Senate	<hr/> 14-APR-15 <hr/>	Amended and Passed
House	<hr/> 16-APR-15 <hr/>	Concurred in Senate Amendment