

1 HB38
2 171053-1
3 By Representatives Williams (JD), Hammon, Johnson (K),
4 Sessions, Davis, Ainsworth, South, Harper, Greer, Rich,
5 Ledbetter, Hill (M), Sanderford, Tuggle, Clouse, Martin,
6 Beckman, McCutcheon, Gaston, Wingo, Polizos, Williams (JW),
7 Wilcox, Butler, Shiver, Holmes (M), Whorton (I), Wadsworth,
8 Carns, Fincher, Mooney, Faust, Hurst, Henry, Nordgren,
9 Chesteen, Pringle, Brown, Wood, Beech, Sells, Fridy, Rowe,
10 Farley, Whorton (R), Standridge, Patterson, Pettus, Moore (B),
11 Ingram, Ball, Hubbard, McMillan and Shedd
12 RFD: Health
13 First Read: 03-AUG-15

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8 SYNOPSIS: This bill would prohibit a person, entity,
9 or association from offering or accepting money or
10 anything of value for an aborted fetus or any
11 portion of an aborted fetus and provide criminal
12 penalties for any violation.

13 Amendment 621 of the Constitution of Alabama
14 of 1901, now appearing as Section 111.05 of the
15 Official Recompilation of the Constitution of
16 Alabama of 1901, as amended, prohibits a general
17 law whose purpose or effect would be to require a
18 new or increased expenditure of local funds from
19 becoming effective with regard to a local
20 governmental entity without enactment by a 2/3 vote
21 unless: it comes within one of a number of
22 specified exceptions; it is approved by the
23 affected entity; or the Legislature appropriates
24 funds, or provides a local source of revenue, to
25 the entity for the purpose.

26 The purpose or effect of this bill would be
27 to require a new or increased expenditure of local

1 funds within the meaning of the amendment. However,
2 the bill does not require approval of a local
3 governmental entity or enactment by a 2/3 vote to
4 become effective because it comes within one of the
5 specified exceptions contained in the amendment.

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to aborted fetuses; to prohibit a person,
12 entity, or association from offering or accepting money or
13 anything of value for an aborted fetus; any portion of an
14 aborted fetus and provide criminal penalties for any
15 violation; and in connection therewith would have as its
16 purpose or effect the requirement of a new or increased
17 expenditure of local funds within the meaning of Amendment 621
18 of the Constitution of Alabama of 1901, now appearing as
19 Section 111.05 of the Official ReCompilation of the
20 Constitution of Alabama of 1901, as amended.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) No person, entity, or association
23 shall offer money or anything of value for an aborted fetus or
24 any portion of an aborted fetus; nor shall any person, entity,
25 or association accept any money or anything of value for an
26 aborted fetus or any portion of an aborted fetus.

1 (b) A violation of this section is punishable as a
2 Class B felony.

3 Section 2. Although this bill would have as its
4 purpose or effect the requirement of a new or increased
5 expenditure of local funds, the bill is excluded from further
6 requirements and application under Amendment 621, now
7 appearing as Section 111.05 of the Official Recompilation of
8 the Constitution of Alabama of 1901, as amended, because the
9 bill defines a new crime or amends the definition of an
10 existing crime.

11 Section 3. This act shall become effective
12 immediately following its passage and approval by the
13 Governor, or its otherwise becoming law.