

1 HB105
2 147746-3
3 By Representative Baker
4 RFD: Education Policy
5 First Read: 05-FEB-13
6 PFD: 02/01/2013

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ENROLLED, An Act,

To establish the crime of trespass on a school bus in the first degree; to provide penalties; and in connection therewith to have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Charles "Chuck" Poland, Jr., Act.

Section 2. (a) A person commits the crime of trespass on a school bus in the first degree if he or she is found guilty of doing any of the following:

(1) ~~Willfully~~ Intentionally demolishing, destroying, defacing, injuring, burning, or damaging any public school bus.

(2) Entering a public school bus while the door is open to load or unload students without a lawful purpose, while at a railroad grade crossing, or after being forbidden from doing so by the authorized school bus driver in charge of the bus, or upon demand of a principal of a school to which

1 the bus is assigned or other duly authorized school system official.

2 (3) As an occupant of a public school bus, refusing
 3 to leave the bus on demand of the authorized school bus driver
 4 in charge of the bus, or upon demand of a principal of a
 5 school to which the bus is assigned or other duly authorized
 6 school system official.

7 (4) ~~Willfully~~ Intentionally stopping, impeding,
 8 delaying, or detaining any public school bus being operated
 9 for public school purposes with the intent to commit a crime
 10 therein.

11 (b) The crime of trespass on a school bus in the
 12 first degree is a ~~Class B~~ Class A misdemeanor.

13 (c) Subdivisions (2), (3), and (4) of subsection (a)
 14 do not apply to a child who is less than 12 years of age or to
 15 authorized school personnel who are boarding the school bus as
 16 a part of their job assignment.

17 Section 3. Although this bill would have as its
 18 purpose or effect the requirement of a new or increased
 19 expenditure of local funds, the bill is excluded from further
 20 requirements and application under Amendment 621, now
 21 appearing as Section 111.05 of the Official Recompilation of
 22 the Constitution of Alabama of 1901, as amended, because the
 23 bill defines a new crime or amends the definition of an
 24 existing crime.

1 Section 4. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.

