

1 HB16
2 133445-3
3 By Representative Holmes (N & P)
4 RFD: Montgomery County Legislation
5 First Read: 07-FEB-12
6 PFD: 09/15/2011

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Montgomery in Montgomery
14 County, Alabama; to prohibit a person, while in a public place
15 including streets, sidewalks, or buses from wearing pants that
16 are more than three inches below the hips of the person that
17 cause the display or exposure of the undergarment of the
18 person; to provide for civil fines or community service; to
19 provide that a violation of this act may not be deemed a
20 criminal offense; and to provide that a person may not be
21 subjected to arrest, imprisonment, or other criminal penalty
22 for violation of this act.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. (a) (1) A person, while in a public place
25 including streets, sidewalks, or buses of the City of
26 Montgomery, Alabama, shall be properly attired whenever he or
27 she appears in public view.

1 (2) Pants worn by any person, regardless of age,
2 should be sized appropriately and secured to prevent the pants
3 from falling three inches below his or her hips causing
4 exposure of the undergarment of the person.

5 (b) (1) If a juvenile is determined to be in
6 violation of this section a citation shall be issued to the
7 juvenile. He or she shall be subject to a civil penalty of not
8 less than twenty-five dollars (\$25) and not more than one
9 hundred dollars (\$100) on each offense. The court cost shall
10 be waived in each case. In lieu of the civil penalty, the
11 court may order the juvenile to participate in 10 to 20 hours
12 of court-approved community service.

13 (2) If an adult is determined to be in violation of
14 this section, a citation shall be issued to the person, and
15 the person shall be subject to a civil penalty of not less
16 than twenty-five dollars (\$25) and not more than one hundred
17 fifty dollars (\$150) on each offense. The court cost shall be
18 waived in each case. In lieu of the civil penalty, the court
19 may order the person to participate in 10 to 40 hours of
20 court-approved community service.

21 (c) Violators of any provision of this section shall
22 be issued a citation and subject to the civil penalties
23 described above. To this end, a violation of this act shall
24 not be deemed a criminal offense; thus, violators shall not be
25 subject to arrest, imprisonment, or other criminal penalty for
26 violation of this act.

1 Section 2. 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.