

1 HB421
2 135841-1
3 By Representative Ford
4 RFD: Judiciary
5 First Read: 23-FEB-12

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8 SYNOPSIS: Under existing law, there is no specific
9 crime of bestiality.

10 This bill would provide for the crime of
11 bestiality.

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

25 The purpose or effect of this bill would be
26 to require a new or increased expenditure of local
27 funds within the meaning of the amendment. However,

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

5
6 A BILL
7 TO BE ENTITLED
8 AN ACT
9

10 To provide for the crime of bestiality; and in
11 connection therewith would have as its purpose or effect the
12 requirement of a new or increased expenditure of local funds
13 within the meaning of Amendment 621 of the Constitution of
14 Alabama of 1901, now appearing as Section 111.05 of the
15 Official Recompilation of the Constitution of Alabama of 1901,
16 as amended.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. For purposes of this act, the following
19 terms shall have the following meanings:

20 (1) SEXUAL CONDUCT. Any touching or fondling by a
21 person, either directly or through clothing, of the sex organs
22 or anus of an animal or any transfer or transmission of semen
23 by the person upon any part of the animal for the purpose of
24 sexual gratification or arousal of the person.

25 (2) SEXUAL CONTACT. Any contact, however slight,
26 between the mouth, sex organ, or anus of a person and the sex
27 organ or anus of an animal, any penetration, however slight,

1 of any part of the body of the person into the sex organ or
2 anus of an animal, or any penetration of the sex organ or anus
3 of the person into the mouth of the animal for the purpose of
4 sexual gratification or sexual arousal of the person.

5 Section 2. (a) A person commits the crime of
6 bestiality if he or she:

7 (1) Knowingly engages in or submits to any sexual
8 conduct or sexual contact with an animal.

9 (2) Knowingly causes, aids, or abets another in
10 engaging in any sexual conduct or sexual contact with an
11 animal.

12 (3) Knowingly permits any sexual conduct or sexual
13 contact with an animal upon premises under his or her control.

14 (4) Knowingly organizes, promotes, conducts,
15 advertises, aids, abets, observes, or performs any service
16 furthering an act involving sexual conduct or sexual contact
17 with an animal for a commercial or recreational purpose.

18 (b) Bestiality is a Class A misdemeanor.

19 Section 3. Although this bill would have as its
20 purpose or effect the requirement of a new or increased
21 expenditure of local funds, the bill is excluded from further
22 requirements and application under Amendment 621, now
23 appearing as Section 111.05 of the Official Recompilation of
24 the Constitution of Alabama of 1901, as amended, because the
25 bill defines a new crime or amends the definition of an
26 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.