

1 SB477  
2 150735-1  
3 By Senator Orr (N & P)  
4 RFD: Local Legislation No. 1  
5 First Read: 30-APR-13

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A BILL

10 TO BE ENTITLED

11 AN ACT

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13 Relating to Morgan County; to prohibit more than one  
14 adult or unrelated juvenile criminal sex offender from  
15 residing in a residence; to provide that no more than one  
16 adult criminal sex offender may reside in an apartment complex  
17 unless there is a distance of at least 100 yards from the  
18 residence of any other offender; to subject the owner or  
19 lessee who permits a violation to a civil penalty; and to  
20 provide exceptions.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. This act shall apply only in Morgan  
23 County.

24 Section 2. (a) No adult or unrelated juvenile  
25 criminal sex offender may establish a residence or other  
26 living accommodation in a residence where another criminal sex

1 offender whose name appears on the county sheriff's official  
2 published sex offender list resides.

3 (b) No adult criminal sex offender whose name  
4 appears on the county sheriff's official published sex  
5 offender list may establish residence or other living  
6 accommodations unless there is a distance of 100 yards or more  
7 from the residence of any other adult criminal sex offender.

8 (c) The owner or lessee of the property who  
9 knowingly, willingly, or intentionally permits a violation of  
10 subsection (a) or subsection (b) shall be subject to a civil  
11 penalty of five thousand dollars (\$5,000) for each violation.  
12 When collected, those penalties shall be equally distributed  
13 to the county sheriff's department and the office of the  
14 district attorney of the county.

15 (d) An owner or lessee of property shall not be in  
16 violation of subsection (a) or subsection (b) if the sex  
17 offender is the spouse or child of the owner or lessor or if  
18 the spouse or child is the owner or lessee of the property.

19 (e) An owner of property shall not be in violation  
20 of subsection (a) or subsection (b) where the application for  
21 a lease or the lease itself provides a signed statement by the  
22 lessee that the lessee is not a convicted sex offender.

23 (f) Notwithstanding any provision of Chapter 20A of  
24 Title 15, Code of Alabama 1975, to the contrary, a sex  
25 offender shall not be in violation of subsection (a) or (b) if  
26 the sex offender is residing at a treatment facility that is a

1                   residential home health care facility approved as such by an  
2                   agency of the state.

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