

1 HB40
2 164524-3
3 By Representatives Pringle, Lee, Poole, Brown, Wood, Boothe,
4 Hubbard, Weaver, Harper, Hill (M), Tuggle, Moore (B), Greer,
5 McMillan, Sessions, Ball, Baker, Davis, Rowe, Holmes (M),
6 Chesteen, Farley, Clouse, Ingram, Sells, Butler, Rich, Fridy,
7 Hill (J), Garrett, Faulkner, Martin, Williams (JW),
8 McCutcheon, Ledbetter, Wilcox, Hanes, Henry and Pettus
9 RFD: State Government
10 First Read: 03-MAR-15
11 PFD: 02/18/2015

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8 SYNOPSIS: This bill would repeal various sections of
9 the Code of Alabama 1975, which are obsolete,
10 unenforceable, or that no longer have purpose or
11 relevance.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 Relating to the Code of Alabama 1975; to repeal
18 Sections 2-2-110 to 2-2-114, inclusive, 2-17-26, 3-1-20,
19 3-1-23, 3-4-1 to 3-4-4, inclusive, 5-14A-1 to 5-14A-8,
20 inclusive, 5-16-1 to 5-16-53, inclusive, 9-2-16, 9-11-52,
21 9-11-235.1, 9-11-247 and 9-11-248, 9-11-262, 9-11-306, 9-12-2,
22 9-12-45, 9-12-112, 11-47-12, 12-21-92, 13A-11-222 and
23 13A-11-223, 13A-12-1, 13A-12-2, 13A-14-3, 14-1-9, 14-1-10,
24 14-1-13, 14-3-1, 14-3-6 to 14-3-8, inclusive, 14-3-11,
25 14-3-33, 14-3-39, 14-3-41, 14-3-42, 14-3-46, 14-3-48, 14-3-49,
26 14-3-50 to 14-3-53, inclusive, 14-3-56, 14-3-59, 14-3-60,
27 14-4-1, 14-4-3, 14-4-7, 14-4-8, 14-5-7, 14-5-9, 14-5-30 to

1 14-5-32, inclusive, 14-5-36, 14-6-60 to 14-6-62, inclusive,
2 14-6-81 to 14-6-83, inclusive, 14-6-86 to 14-6-92, inclusive,
3 14-6-98, 14-6-100 to 14-6-102, inclusive, 14-6-105 to
4 14-6-108, inclusive, 14-8-33, 14-9-3, 14-10-3, 14-11-1 to
5 14-11-3, inclusive, 14-11-5, 15-4-11, 15-16-60 to 15-16-71,
6 inclusive, 16-6-1 to 16-6-6, inclusive, 16-15-1 to 16-15-13,
7 inclusive, 16-17-1 to 16-17-19, inclusive, 16-29-1 to 16-29-6,
8 inclusive, 20-1-28 to 20-1-30, inclusive, 21-3-4 to 21-3-8,
9 inclusive, 22-13-1, 22-6-5.1, 22-52-70 to 22-52-72, inclusive,
10 22-52-50 to 22-52-58, inclusive, 25-1-2, 27-1-8, 27-1-9,
11 27-26-20 to 27-26-43, inclusive, 28-3-17, 30-2-12, 30-4-3,
12 31-9-7, 32-4-3, 32-4-4, 34-6-6, 34-6-9, 34-6-14, 37-8-160,
13 40-12-76, 40-12-77, 40-12-85, 40-12-86, 40-12-95, 40-12-109,
14 40-12-119, 40-12-120, 40-12-132, 40-12-142, 40-12-164,
15 40-12-170, 40-12-173, 40-12-175, 40-12-423, 40-17A-1 to
16 40-17A-16, inclusive, 40-20-14, 41-6A-1 to 41-6A-11,
17 inclusive, 41-8A-1 to 41-8A-12, inclusive, 41-9-900 to
18 41-9-906, inclusive, and 45-4-60 to 45-4-60.17, inclusive,
19 Code of Alabama 1975.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. The following sections of the Code of
22 Alabama 1975, are repealed:

23 (1) Sections 2-2-110 to 2-2-114, inclusive, Code of
24 Alabama 1975, relating to the Public Interest Energy and Fuel
25 Research and Development Grants Program.

26 (2) Section 2-17-26, Code of Alabama 1975, relating
27 to the Meat and Poultry Inspection Advisory Council.

1 (3) Section 3-1-20, Code of Alabama 1975, relating
2 to sale or purchase of animals or fowl after dark.

3 (4) Section 3-1-23, Code of Alabama 1975, relating
4 to the burning of the teeth of a horse, mule, etc.

5 (5) Section 3-4-1 to 3-4-4, inclusive, Code of
6 Alabama 1975, relating to the construction of lawful fences.

7 (6) Sections 5-14A-1 to 5-14A-8, inclusive, Code of
8 Alabama 1975, relating to the Regional Reciprocal Savings
9 Institutions, which are no longer licensed in this state.

10 (7) Sections 5-16-1 to 5-16-53, inclusive, Code of
11 Alabama 1975, relating to savings and loan associations, which
12 are no longer licensed in this state.

13 (8) Section 9-2-16, Code of Alabama 1975, relating
14 to the Director of Irrigation.

15 (9) Section 9-11-52, Code of Alabama 1975, relating
16 to dog trainer licenses.

17 (10) Section 9-11-235.1, Code of Alabama 1975,
18 relating to hunting raccoons or opossums at night.

19 (11) Sections 9-11-247 and 9-11-248, Code of Alabama
20 1975, relating to "coon on the log" contests.

21 (12) Section 9-11-262, Code of Alabama 1975,
22 relating to bounties on beavers.

23 (13) Section 9-11-306, Code of Alabama 1975,
24 relating to impoundment of dogs in wildlife management areas.

25 (14) Section 9-12-2, Code of Alabama 1975, relating
26 to use of posse comitatus to assist a sheriff.

1 (15) Section 9-12-45, Code of Alabama 1975, relating
2 to tax on terrapins caught for commercial purposes.

3 (16) Section 9-12-112, Code of Alabama 1975,
4 relating to the killing of garfish.

5 (17) Section 11-47-12, Code of Alabama 1975,
6 relating to storage facilities for gunpowder.

7 (18) Section 12-21-92, Code of Alabama 1975,
8 relating to publishing of foreign interest rates by the
9 Secretary of State.

10 (19) Sections 13A-11-222 and 13A-11-223, Code of
11 Alabama 1975, relating to telephone party lines.

12 (20) Section 13A-12-1 and 13A-12-2, Code of Alabama
13 1975, relating to certain acts on Sunday.

14 (21) Section 13A-14-3, Code of Alabama 1975,
15 relating to marathons and similar contests.

16 (22) Sections 14-1-9 and 14-1-10, Code of Alabama
17 1975, relating to the Alabama Board of Corrections.

18 (23) Section 14-1-13, Code of Alabama 1975, relating
19 to the annual report to the Governor and Legislature by the
20 Board of Corrections.

21 (24) Section 14-3-1, Code of Alabama 1975, relating
22 to the duties of the Board of Corrections.

23 (25) Sections 14-3-6 to 14-3-8, inclusive, Code of
24 Alabama 1975, relating to the handling of records,
25 correspondence, and other public documents by the Board of
26 Corrections.

1 (26) Section 14-3-11, Code of Alabama 1975, relating
2 to reports to the Legislature by the Board of Corrections.

3 (27) Section 14-3-33, Code of Alabama 1975, relating
4 to delivery of convicts by the sheriff.

5 (28) Section 14-3-39, Code of Alabama 1975, relating
6 to female guards for female convicts.

7 (29) Section 14-3-41, Code of Alabama 1975, relating
8 to the separation of convicts suffering from tuberculosis.

9 (30) Section 14-3-42, Code of Alabama 1975, relating
10 to removal of convicts that are insane.

11 (31) Section 14-3-46, Code of Alabama 1975, relating
12 to the purchase of Bibles for convicts.

13 (32) Section 14-3-48, Code of Alabama 1975, relating
14 to inmates working on Sundays and holidays.

15 (33) Section 14-3-49, Code of Alabama 1975, allowing
16 inmates to work for themselves upon approval of the Board of
17 Corrections.

18 (34) Sections 14-3-50 to 14-3-53, inclusive, Code of
19 Alabama 1975, relating to confinement cells and punishment
20 guidelines.

21 (35) Section 14-3-56, Code of Alabama 1975, relating
22 to crimes committed by inmates while incarcerated and the
23 availability of bail.

24 (36) Section 14-3-59, Code of Alabama 1975, relating
25 to posting of regulations regarding escape in prisons.

26 (37) Section 14-3-60, Code of Alabama 1975, relating
27 to the prohibition of liquor on prison grounds.

1 (38) Section 14-4-1, Code of Alabama 1975, relating
2 to the application of state laws to county convicts.

3 (39) Section 14-4-3, Code of Alabama 1975, relating
4 to maintenance of records regarding county convicts by the
5 Board of Corrections.

6 (40) Section 14-4-7, Code of Alabama 1975, relating
7 to work by women inmates on public highways.

8 (41) Section 14-4-8, Code of Alabama 1975, relating
9 to meals for inmates at noon.

10 (42) Section 14-5-7, Code of Alabama 1975, relating
11 to work on drains and levees by state convicts.

12 (43) Section 14-5-9, Code of Alabama 1975, relating
13 to agreements to allow inmates to work on drains and levees.

14 (44) Sections 14-5-30 to 14-5-32, inclusive, Code of
15 Alabama 1975, relating to the creation of manual labor work
16 camps.

17 (45) Section 14-5-36, Code of Alabama 1975, relating
18 to work incentive systems for participation in work camps.

19 (46) Sections 14-6-60 to 14-6-62, inclusive, Code of
20 Alabama 1975, relating to patients with tuberculosis and state
21 hospitals.

22 (47) Sections 14-6-81 to 14-6-83, inclusive, Code of
23 Alabama 1975, relating to the inspection of county jails by
24 the Board of Corrections and condemnation of a jail by the
25 Board of Corrections.

1 (48) Sections 14-6-86 to 14-6-92, inclusive, Code of
2 Alabama 1975, relating to sanitation requirements of municipal
3 and county jails and enforcement by the Board of Corrections.

4 (49) Section 14-6-98, Code of Alabama 1975,
5 requiring sheriffs to provide monthly inmate reports to the
6 Board of Corrections.

7 (50) Sections 14-6-100 to 14-6-102, inclusive, Code
8 of Alabama 1975, relating to grand jury reports regarding
9 inspection of jails and report to the Board of Corrections.

10 (51) Sections 14-6-105 to 14-6-108, inclusive, Code
11 of Alabama 1975, relating to night watchmen at prisons, a
12 determination of necessity by the Board of Corrections, and
13 inspection of insane asylums by the Board of Corrections.

14 (52) Section 14-8-33, Code of Alabama 1975, adoption
15 of rules limiting confinement of inmates by a county.

16 (53) Section 14-9-3, Code of Alabama 1975, relating
17 to inmate donations of blood.

18 (54) Section 14-10-3, Code of Alabama 1975, relating
19 to criminal penalty for wrongful discharge of inmate by public
20 official.

21 (55) Sections 14-11-1 to 14-11-3, inclusive, Code of
22 Alabama 1975, relating to criminal penalties for overworking
23 an inmate, unlawful detainment of an inmate, and failing to
24 appear as a witness when called by the Board of Corrections.

25 (56) Section 14-11-5, Code of Alabama 1975, relating
26 to criminal penalties for officers who wrongfully allow
27 inmates out of solitary confinement.

1 (57) Section 15-4-11, Code of Alabama 1975, relating
2 to fees for autopsies and examinations.

3 (58) Sections 15-16-60 to 15-16-71, inclusive, Code
4 of Alabama 1975, relating to the Alabama Criminal Psychopath
5 Release Restriction Act.

6 (59) Sections 16-6-1 to 16-6-6, inclusive, Code of
7 Alabama 1975, relating to the Alabama Education Study
8 Commission.

9 (60) Section 16-15-1 to 16-15-13, inclusive, Code of
10 Alabama 1975, relating to the Alabama Education Authority.

11 (61) Section 16-17-1 to 16-17-19, inclusive, Code of
12 Alabama 1975, relating to education building authorities.

13 (62) Section 16-29-1 to 16-29-6, inclusive, Code of
14 Alabama 1975, relating to mental and physical examinations of
15 school children.

16 (63) Sections 20-1-28 to 20-1-30, inclusive, Code of
17 Alabama 1975, relating to regulations governing soft drinks
18 colored with coal tar or artificial sweeteners, certain citrus
19 fruits and artificially colored potatoes, which are no longer
20 enforced.

21 (64) Sections 21-3-4 to 21-3-8, inclusive, Code of
22 Alabama 1975, relating to health officers compiling lists of
23 children with malformations.

24 (65) Section 22-6-5.1, Code of Alabama 1975,
25 relating to the collection of nursing home patients' income by
26 tax collector.

1 (66) Section 22-13-1, Code of Alabama 1975, relating
2 to care and treatment of indigent persons with cancer.

3 (67) Sections 22-52-50 to 22-52-58, inclusive, Code
4 of Alabama 1975, relating to mentally retarded persons
5 admitted into state institutions.

6 (68) Sections 22-52-70 to 22-52-72, inclusive, Code
7 of Alabama 1975, relating to commitment of mentally ill
8 prisoners, which is processed through interagency agreements.

9 (69) Section 25-1-2, Code of Alabama 1975, relating
10 to separate bathrooms for women.

11 (70) Sections 27-1-8 and 27-1-9, Code of Alabama
12 1975, relating to life insurance company investments, which
13 are superseded by the Investment Act.

14 (71) Sections 27-26-20 to 27-26-43, inclusive, Code
15 of Alabama 1975, relating to the Medical Liability Joint
16 Underwriting Association, which were never put into practice
17 and are no longer necessary due to the licensure of the Mutual
18 Assurance Society.

19 (72) Section 28-3-17, Code of Alabama 1975, relating
20 to the location of state liquor stores, which has been ruled
21 unconstitutional.

22 (73) Section 30-2-12, Code of Alabama 1975, relating
23 to divorce for pregnancy of wife at the time of marriage.

24 (74) Section 30-4-3, Code of Alabama 1975, relating
25 to clothes of wife separate from husband.

1 (75) Section 31-9-7, Code of Alabama 1975, relating
2 to Interstate aid agreements and compacts, which is covered by
3 another section of the Code of Alabama 1975.

4 (76) Sections 32-4-3 and 32-4-4, Code of Alabama
5 1975, relating to the Office of Highway and Traffic Safety.

6 (77) Sections 32-14-1 to 32-14-6, inclusive, and
7 32-14-20 to 32-14-24, inclusive, Code of Alabama 1975,
8 relating to licensure of driver training schools, which the
9 State Superintendent of Education no longer issues.

10 (78) Section 34-6-6, Code of Alabama 1975, relating
11 to curtains and blinds required for pool halls.

12 (79) Section 34-6-9, Code of Alabama 1975, relating
13 to persons under 19 prohibited from entering pool hall.

14 (80) Section 34-6-14, Code of Alabama 1975, relating
15 to betting in pool halls and bowling alleys.

16 (81) Section 37-8-160, Code of Alabama 1975,
17 relating to the drinking of liquor on trains.

18 (82) Sections 40-12-76 and 40-12-77, Code of Alabama
19 1975, relating to coal and coke dealers.

20 (83) Sections 40-12-85 and 40-12-86, Code of Alabama
21 1975, relating to cotton licenses.

22 (84) Section 40-12-95, Code of Alabama 1975,
23 relating to devices used for testing skill and strength.

24 (85) Section 40-12-109, Code of Alabama 1975,
25 relating to hat cleaning establishment licenses.

26 (86) Section 40-12-119, Code of Alabama 1975,
27 relating to Legerdemain and sleight of hand license.

1 (87) Section 40-12-120, Code of Alabama 1975,
2 relating to lightning rod license tax.

3 (88) Section 40-12-132, Code of Alabama 1975,
4 relating to moving picture shows.

5 (89) Section 40-12-142, Code of Alabama 1975,
6 relating to pig iron storage operators license, due to the
7 issuance of no licenses.

8 (90) Section 40-12-164, Code of Alabama 1975,
9 relating to supply cars license, due to the issuance of no
10 licenses.

11 (91) Section 40-12-170, Code of Alabama 1975,
12 relating to trading stamps license.

13 (92) Section 40-12-173, Code of Alabama 1975,
14 relating to theatrical and vaudeville shows license.

15 (93) Section 40-12-175, Code of Alabama 1975,
16 relating to turpentine and resin license.

17 (94) Section 40-12-423, Code of Alabama 1975,
18 relating to returning license plates from dismantled cars to
19 the Department of Revenue.

20 (95) Sections 40-17A-1 to 40-17A-16, inclusive, Code
21 of Alabama 1975, relating to the Drugs and Controlled
22 Substances Excise Tax, which is unenforceable.

23 (96) Section 40-20-14, Code of Alabama 1975,
24 relating to tax credits for direct reduced iron.

25 (97) Sections 41-6A-1 to 41-6A-11, inclusive, Code
26 of Alabama 1975, relating to the Alabama Energy Management and

1 Conservation Act of 1980, which created the Department of
2 Energy.

3 (98) Sections 41-8A-1 to 41-8A-12, inclusive, Code
4 of Alabama 1975, relating to the Alabama Law Enforcement
5 Planning Agency.

6 (99) Sections 41-9-900 to 41-9-906, inclusive,
7 relating to the Alabama Insurance Board, due to inactivity of
8 the board.

9 (100) Sections 45-4-60 to 45-4-60.17, inclusive,
10 Code of Alabama 1975, relating to medical examiner in Bibb
11 County.

12 Section 2. The Code Commissioner shall identify any
13 board, commission, council, task force, or similar entity that
14 is defunct or has been inactive by not holding a meeting
15 within the last four years of the effective date of this act
16 and report the list of such entities to the Speaker of the
17 House of Representatives and the President Pro Tempore of the
18 Senate on or before January 1, 2016, for consideration of a
19 repeal of any law or resolution granting authority to such
20 board, commission, council, task force, or similar entity.

21 Section 3. This act shall become effective
22 immediately following its passage and approval by the
23 Governor, or its otherwise becoming law.