

1 HB315
2 217105-1
3 By Representatives Givan, Moore (M), Rogers, Alexander,
4 Coleman, Scott, South, Treadaway, Faulkner, Drake, Hollis
5 and Garrett
6 RFD: Judiciary
7 First Read: 08-FEB-22

8 SYNOPSIS: This bill would create the crime of
9 misrepresenting the police jurisdiction of a
10 municipality and establish penalties for
11 violations.

12 Amendment 621 of the Constitution of Alabama
13 of 1901, as amended by Amendment 890, now appearing
14 as Section 111.05 of the Official Recompilation of
15 the Constitution of Alabama of 1901, as amended,
16 prohibits a general law whose purpose or effect
17 would be to require a new or increased expenditure
18 of local funds from becoming effective with regard
19 to a local governmental entity without enactment by
20 a 2/3 vote unless: it comes within one of a number
21 of 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,

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

A BILL

TO BE ENTITLED

AN ACT

Relating to crimes and offenses; to create the crime of misrepresenting the police jurisdiction of a municipality; to establish penalties for violations; and in connection therewith would 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, as amended by Amendment 890, 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. (a) (1) A person commits the crime of misrepresenting the police jurisdiction of a municipality if he or she knowingly misrepresents, by use of a sign, marker, or other marking, the police jurisdiction of a municipality.

(2) A public official shall be guilty of a violation of this section if he or she instructs another person to misrepresent the police jurisdiction of a municipality.

(b) Misrepresenting the police jurisdiction of a municipality is a Class A misdemeanor.

Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621, as amended by Amendment 890, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, because the bill defines a new crime or amends the definition of an existing crime.

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