



1 99A7MM-2
2 By Representatives Drummond, Hollis, Lawrence, Warren,
3 Blackshear, McClammy, Gray, Travis, Easterbrook, Fincher,
4 Hill, Jackson, Tillman, Plump, Jones, Bracy, Hassell, Butler,
5 Gidley, Lamb, Givens, Holk-Jones, Estes, Faulkner, Baker,
6 Pringle, Ingram, Sellers, Yarbrough, Shaw, Morris, Rogers,
7 Lipscomb, Hurst, DuBose, Wood (D), Pettus, Marques, Sorrells,
8 Smith, Stringer, Kitchens, Colvin, Woods, Treadaway, Ellis,
9 Hulsey, Wood (R), Rehm, Brown, Robertson, Starnes, McCampbell,
10 Whitt
11 RFD: Boards, Agencies and Commissions
12 First Read: 13-Apr-23
13 2023 Regular Session



1
2
3
4
5



29 require the State Board of Education to establish a model
30 vaping awareness, education, and prevention program and
31 require each local board of education to adopt a policy based
32 on the model policy; to repeal Section 28-11-15, Code of
33 Alabama 1975, and in connection therewith would have as its
34 purpose or effect the requirement of a new or increased
35 expenditure of local funds within the meaning of Section
36 111.05 of the Constitution of Alabama of 2022.

37 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

38 Section 1. Sections 28-11-2, 28-11-3, 28-11-5,
39 28-11-6.1, 28-11-7, 28-11-9, 28-11-10, 28-11-12, 28-11-13,
40 28-11-14, 28-11-16, 28-11-17.1, and 28-11-18, Code of Alabama
41 1975, are amended to read as follows:

42 "§28-11-2

43 For purposes of this chapter, the following terms have
44 the following meanings unless the context clearly indicates
45 otherwise:

46 (1) ALTERNATIVE NICOTINE PRODUCT. The term alternative
47 nicotine product includes any product that consists of or
48 contains nicotine that can be ingested into the body by
49 chewing, smoking, absorbing, dissolving, inhaling, snorting,
50 sniffing, or by any other means. The term does not include a
51 tobacco product, electronic nicotine delivery system, or any
52 product that has been approved by the United States Food and
53 Drug Administration for sale as a tobacco cessation product or
54 for other medical purposes and that is being marketed and sold
55 solely for that purpose.

56 (2) BOARD. The Alabama Alcoholic Beverage Control



57 Board.

58 (3) CHILD-RESISTANT PACKAGING. Liquid nicotine
59 container packaging meeting the requirements of 15 U.S.C. §
60 1472a.

61 (4) COMMISSIONER. The Commissioner of the Department of
62 Revenue.

63 (5) DELIVERY SALE. The delivery sale of tobacco,
64 tobacco products, electronic nicotine delivery systems,
65 e-liquids, or alternative nicotine products.

66 ~~(5)~~ (6) DISTRIBUTION. To sell, barter, exchange, or give
67 tobacco or tobacco products for promotional purposes or for
68 gratis.

69 ~~(6)~~ (7) ELECTRONIC NICOTINE DELIVERY SYSTEM. Any
70 electronic device that uses a battery and heating element in
71 combination with an e-liquid or tobacco, or substitutes
72 thereof, to produce a vapor that delivers nicotine or other
73 substances to the individual inhaling from the device to
74 simulate smoking, and includes, but is not limited to,
75 products that may be offered to, purchased by, or marketed to
76 consumers as an electronic cigarette, electronic cigar,
77 electronic cigarillo, electronic pipe, electronic hookah, vape
78 pen, vape tool, vaping device, or any variation of these
79 terms. The term also includes any e-liquid intended to be
80 vaporized in any device included in this subdivision.

81 ~~(7)~~ (8) ELECTRONIC NICOTINE DELIVERY SYSTEM RETAILER.
82 Any retail business which offers for sale electronic nicotine
83 delivery systems.

84 ~~(8)~~ (9) E-LIQUID. A liquid that contains nicotine or



85 other substances and may include flavorings or other
86 ingredients that are intended for use in an electronic
87 nicotine delivery system. The term includes e-liquid
88 substitutes, tobacco substitutes, and any other product that
89 may be used in conjunction with an electronic cigarette,
90 electronic nicotine delivery system, or other electronic
91 battery-powered device to deliver nicotine or other
92 substances, including, but not limited to, CBD oil, THC oil,
93 herbal extracts, and nicotine salts, or analogs thereof, into
94 the body through the inhalation of vapor.

95 (9) (10) E-LIQUID MANUFACTURER. Any person who
96 manufactures, fabricates, assembles, processes, mixes,
97 prepares, labels, repacks, or relabels an e-liquid to be
98 sealed in final packaging intended for consumer use. This term
99 includes an owner of a brand or formula for an e-liquid who
100 contracts with another person to complete the fabrication and
101 assembly of the product to the brand or formula owner's
102 standards.

103 (10) (11) FDA. The United States Food and Drug
104 Administration.

105 (11) (12) LIQUID NICOTINE CONTAINER. A bottle or other
106 container of a liquid product that is intended to be vaporized
107 and inhaled using an electronic nicotine delivery system. The
108 term does not include a container holding liquid that is
109 intended for use in a vapor product if the container is
110 pre-filled and sealed by the manufacturer and is not intended
111 to be opened by the consumer.

112 (12) (13) MINOR. Any individual under the age of 19 21



113 years of age.

114 ~~(13)~~ (14) PERSON. Any natural person, firm, partnership,
115 association, company, corporation, or other entity. Person
116 does not include a manufacturer or wholesaler of tobacco or
117 tobacco products nor does it include employees of the permit
118 holder.

119 ~~(14)~~ (15) PROOF OF IDENTIFICATION. Any one or more of
120 the following documents used for purposes of determining the
121 age of an individual purchasing, attempting to purchase, or
122 receiving tobacco, tobacco products, electronic nicotine
123 delivery systems, or alternative nicotine products:

124 a. A valid ~~driver's~~driver license issued by any state
125 and bearing the photograph of the presenting individual.

126 b. United States Uniform Service Identification.

127 c. A valid passport.

128 d. A valid identification card issued by any state
129 agency for the purpose of identification and bearing the
130 photograph and date of birth of the presenting individual.

131 e. For legal mail order purposes only, a valid signed
132 certification that will verify the individual is 21 years of
133 age or older.

134 ~~(15)~~ (16) RESPONSIBLE VENDOR PROGRAM. A program
135 administered by the board to encourage and support vendors in
136 training employees in legal and responsible sales practices.

137 ~~(16)~~ (17) SAMPLER. Any business or person who
138 distributes tobacco or tobacco products for promotional
139 purposes.

140 ~~(17)~~ (18) SELF-SERVICE DISPLAY. A display that contains



141 tobacco or tobacco products and is located in an area openly
142 accessible to purchasers at retail and from which the
143 purchasers can readily access tobacco or tobacco products
144 without the assistance of the tobacco permit holder or an
145 employee of the permit holder. A display case that holds
146 tobacco or tobacco products behind locked doors does not
147 constitute a self-service display.

148 ~~(18)~~ (19) SPECIALTY RETAILER OF ELECTRONIC NICOTINE
149 DELIVERY SYSTEMS. A business establishment at which any of the
150 following are true:

151 a. The trade name includes the words vape, vapor, or
152 any variation of the terms which may indicate that the
153 business sells electronic nicotine delivery systems or
154 alternative nicotine products.

155 a. b. The sale of electronic nicotine delivery systems
156 accounts for more than 35 percent of the total quarterly gross
157 receipts for the establishment. The provided list of intended
158 inventory includes 50 percent or more of electronic nicotine
159 delivery systems or alternative nicotine products, or both, by
160 quantity, by value, or both.

161 c. At any time after a permit has been issued, the
162 inventory maintained by the business includes 50 percent or
163 more of electronic nicotine delivery systems or alternative
164 nicotine products, or both, by quantity, by value, or both.

165 b.d. Twenty percent or more of the public retail floor
166 space is allocated for the offering, displaying, or storage of
167 electronic nicotine delivery systems.

168 e.e. Twenty percent or more of the total shelf space,



169 including retail floor shelf space and shelf space in areas
170 accessible only to employees, is allocated for the offering,
171 displaying, or storage of electronic nicotine delivery
172 systems.

173 ~~d.f.~~ The retail space features a self-service display
174 for electronic nicotine delivery systems.

175 ~~e.g.~~ Samples of electronic nicotine delivery systems
176 are offered to customers.

177 ~~f.h.~~ Liquids intended to be vaporized through the use
178 of an electronic nicotine delivery system ~~are~~may be produced
179 at the facility or ~~are~~may be produced by the owner of the
180 establishment or any of its agents or employees ~~for sale at~~
181 ~~the establishment.~~

182 ~~(19)~~(20) TOBACCO or TOBACCO PRODUCT. Any product made
183 or derived from tobacco that is intended for human
184 consumption, including any component, part, or accessory of a
185 tobacco product, except for raw materials other than tobacco
186 used in manufacturing a component, part, or accessory of a
187 tobacco product, but does not include an article that is a
188 drug under Section 201(g)(1) of the Federal Food, Drug, and
189 Cosmetic Act, a device under Section 201(h) of the Federal
190 Food, Drug, and Cosmetic Act, or a combination product
191 described in Section 503(g) of the Federal Food, Drug, and
192 Cosmetic Act.

193 ~~(20)~~(21) TOBACCO PERMIT. A permit issued by the board
194 to allow the permit holder to engage in the distribution of
195 tobacco, tobacco products, electronic nicotine delivery
196 systems, e-liquids, or alternative nicotine products at the



197 location identified in the permit.

198 ~~(21)~~ (22) TOBACCO SPECIALTY STORE. A business that
199 derives at least 75 percent of its revenue from tobacco or
200 tobacco products."

201 "§28-11-3

202 The board, in conjunction with federal, state, and
203 local law enforcement agencies, shall enforce state and
204 federal laws that prohibit the distribution of tobacco,
205 tobacco products, alternative nicotine products, e-liquids,
206 and electronic nicotine delivery systems to individuals under
207 the age of 21 years. Notwithstanding the foregoing, for
208 purposes of inspections and enforcement actions undertaken
209 pursuant to this section, individuals under the age of 21
210 years may be enlisted to attempt to purchase or purchase
211 tobacco, tobacco products, alternative nicotine products,
212 e-liquids, and electronic nicotine delivery systems, provided
213 that individuals under the age of 18 years shall have the
214 prior written consent of a parent or legal guardian, and
215 provided further that the individuals shall be directly
216 supervised during the conduct of each inspection or
217 enforcement action by an enforcement agent of the board or a
218 law enforcement officer, or by a sheriff or head of police of
219 any county, city, town, or other political subdivision, or by
220 a deputy or officer thereof. No individual under the age of 21
221 years may misrepresent his or her age for the purpose of
222 purchasing or attempting to purchase tobacco, tobacco
223 products, alternative nicotine products, or electronic
224 nicotine delivery systems. If questioned about his or her age



225 ~~during an attempt to purchase or receive tobacco, tobacco~~
226 ~~products, alternative nicotine products, or electronic~~
227 ~~nicotine delivery systems, an individual under the age of 21~~
228 ~~years shall state his or her true age. A photograph or video~~
229 ~~recording of any individual under the age of 21 years~~
230 ~~assisting in an inspection or enforcement action shall be~~
231 ~~taken prior to the investigation. The appearance of an~~
232 ~~individual under the age of 21 years participating in an~~
233 ~~inspection or enforcement action shall not be altered at the~~
234 ~~time of the inspection."~~

235 "§28-11-5

236 The board may use funding, if available, from the
237 Department of Mental Health, other state or federal agencies,
238 grants, and private or public organizations to enforce this
239 chapter and to provide and distribute prevention materials
240 related to tobacco, tobacco products, alternative nicotine
241 products, e-liquids, and electronic nicotine delivery systems
242 ~~and nicotine prevention materials~~ to retail tobacco merchants
243 and specialty retailers of electronic nicotine delivery
244 systems. The materials shall provide information regarding
245 state and federal laws that prohibit access to tobacco,
246 tobacco products, alternative nicotine products, e-liquids,
247 and electronic nicotine delivery systems by individuals under
248 the age of 21 years and other appropriate information. The
249 board may also provide consultation services for establishing
250 programs to minimize or eliminate sales of tobacco, tobacco
251 products, alternative nicotine products, e-liquids, and
252 electronic nicotine delivery systems to individuals under the



253 age of 21 years pursuant to the responsible vendor program."

254 "§28-11-6.1

255 ~~(a) No tobacco, tobacco product, alternative nicotine~~
256 ~~product, e-liquid, or electronic nicotine delivery system~~
257 ~~shall be distributed by use of a vending machine unless the~~
258 ~~machine:~~

259 ~~(1) Is located in an area in which individuals under~~
260 ~~the age of 21 years are not permitted access; or~~

261 ~~(2) Dispenses tobacco, tobacco products, alternative~~
262 ~~nicotine products, or electronic nicotine delivery systems~~
263 ~~through the operation of a device that requires the tobacco~~
264 ~~permit holder or an employee of the permit holder to control~~
265 ~~the distribution of the product.~~

266 ~~(b) No tobacco, tobacco product, alternative nicotine~~
267 ~~product, or electronic nicotine delivery system shall be~~
268 ~~distributed at retail by use of a vending machine if placed~~
269 ~~together with any non-tobacco product or non-nicotine product,~~
270 ~~other than matches, in the machine."~~

271 "§28-11-6.2

272 (a) No tobacco, tobacco product, alternative nicotine
273 product, e-liquid, or electronic nicotine delivery system
274 shall be distributed at retail through a self-service display
275 unless the display is a vending machine as permitted under
276 Section 28-11-6.1 or is located in a tobacco specialty store
277 or at a specialty retailer of electronic nicotine delivery
278 systems and is located in an area in which individuals under
279 the age of 21 years of age are not permitted access.

280 (b) A violation of this section shall be subject to the



281 penalties provided in Section 28-11-9."

282 "§28-11-7

283 (a) (1) Any person who distributes tobacco, tobacco
284 products, electronic nicotine delivery systems, or alternative
285 nicotine products within this state shall first obtain a
286 permit from the board for each location of distribution.~~There~~
287 ~~is no fee for the permit.~~ Upon application, there shall be a
288 one-time, nonrefundable filing fee of fifty dollars (\$50), in
289 addition to a permit fee of one hundred fifty dollars (\$150),
290 which shall be renewed annually. The one-time filing fee shall
291 apply only to new applicants for a permit on or after the
292 effective date of the act amending this section.

293 (2) The fees collected under this subsection shall be
294 distributed as follows:

295 a. Seventy-five percent shall be deposited into the Tobacco
296 Licensing and Compliance Fund to be used for operational costs
297 of enforcing this chapter and tobacco and nicotine prevention
298 education.

299 b. Twenty-five percent shall be deposited into the Public
300 Safety Fund of the Alabama State Law Enforcement Agency to be
301 used for the enforcement of this chapter.

302 (b) ~~Any person who maintains~~No person may maintain a
303 tobacco, tobacco product, electronic nicotine delivery system,
304 or alternative nicotine product vending machine~~on his or her~~
305 ~~property in this state shall first obtain a permit from the~~
306 ~~board for each machine at each machine location. The permit~~
307 ~~for each machine shall be posted in a conspicuous place on the~~
308 ~~machine.~~



309 (c) A permit shall be valid only for the
310 ~~location~~address specified in the permit application.
311 (d) ~~A permit is not transferable or assignable and~~
312 ~~shall be renewed annually. Notwithstanding the foregoing, if~~If
313 a location for which a permit ~~is~~has been obtained is sold or
314 transferred, the permit, after submission of an application to
315 transfer and a transfer fee of fifty dollars (\$50), shallmay
316 be transferred to the person obtaining control of the location
317 ~~and shall be valid for 30 days after the transfer during which~~
318 ~~time a new permit shall be obtained, subject to approval by~~
319 the board. The transferee shall meet any requirements,
320 established by the rule of the board, required for a permit
321 holder. The permitted transfer shall be effective for the
322 duration of the license year, and the transferee shall renew
323 the permit annually as provided in subsection (a).

324 (e) If feasible, the board by rule may adopt procedures
325 for the issuance and renewal of permits which combine tobacco
326 permit procedures with the application and licensing
327 procedures for alcoholic beverages."

328 "§28-11-9

329 (a) Subject to the Alabama Administrative Procedure
330 Act, Chapter 22 of Title 41, the board shall have full and
331 final authority as to the suspension or revocation for cause
332 of any permit issued pursuant to this chapter.

333 (1) The board may appoint a hearing commission of at
334 least three persons which may do all of the following:

335 a. Hear and decide all contested applications for
336 permits.



337 b. Hear and decide all charges against any permit
338 holder or employee of a permit holder for violations of this
339 chapter, the law, or the rules of the board.

340 c. Revoke or suspend permits as provided in this
341 chapter.

342 d. Levy administrative fines upon permit holders—~~or~~
343 ~~employees of permit holders.~~

344 (2) No member of the hearing commission shall
345 participate in the hearing or disposition of any application
346 for a permit or charge against a permit holder or an employee
347 of a permit holder if he or she has an interest therein or was
348 involved in the investigation.

349 (b) The board, or a hearing commission appointed by the
350 board, upon finding that a permit holder or any partner,
351 member, employee, officer, or director of the permit holder
352 has violated any of the laws of this state or the United
353 States relating to the manufacture, sale, possession, or
354 transportation of tobacco, tobacco products, electronic
355 nicotine delivery systems, e-liquids, or alternative nicotine
356 products, or that the permit holder has acted in a manner
357 prejudicial to the welfare, health, peace, temperance, and
358 safety of the people of the community or of the state, ~~may~~
359 upon due notice and hearing, may levy administrative fines or
360 suspend or revoke the permit issued by the board, or a
361 combination of all three, as provided in subsection (e). In
362 all cases where the board or hearing commission ~~shall~~
363 levy levies an administrative fine or ~~suspend or revoke~~
364 suspends or revokes a permit, ~~it~~ the board shall set forth its



365 findings of fact, the evidence from which the findings of
366 facts are made, and the reasons upon which its actions are
367 based.

368 (c) The fines as specified in subsection (e) shall be
369 applicable per each violation. The permit holder ~~or employee~~
370 shall remit the administrative fine to the board within seven
371 calendar days from the day that the administrative fine is
372 levied. Failure by the permit holder to pay the administrative
373 fine within that time period shall result in an automatic
374 suspension of the permit until the administrative fine is
375 paid.

376 (d) The maximum length of suspension of a permit
377 pursuant to this chapter shall be one year. A permit holder
378 shall be ineligible to hold a permit pursuant to this chapter
379 for the location where the violation occurred until the
380 expiration or removal of the suspension. A permit holder whose
381 permit is revoked by the board or the hearing commission shall
382 be, at the discretion of the board or hearing commission,
383 ineligible to hold a permit pursuant to this chapter until the
384 expiration of one year from the date the permit is revoked at
385 the location where the violation occurred.

386 (e) The following administrative ~~fines may penalties~~
387 shall be levied for violations of this chapter ~~against valid~~
388 ~~permit holders or employees, or both:~~

389 (1) ~~Upon conviction for For~~ a first violation at a
390 location in a four-year period by the permit holder or an
391 ~~employee of the permit holder~~, the board or hearing commission
392 may levy a fine against the permit holder of not more than



393 five hundred dollars (\$500) or offer the permit holder an
394 opportunity to provide training sessions administered by the
395 Responsible Vendor Program in lieu of ~~an~~ the administrative
396 fine ~~upon the permit holder and the employee, if the violation~~
397 ~~is by an employee, of not more than two hundred dollars~~
398 ~~(\$200).~~

399 (2) ~~Upon conviction of~~ For a second violation at the
400 same location within a ~~two-year~~ four-year period, the board or
401 hearing commission ~~may~~ shall levy an administrative fine upon
402 the permit holder ~~and the employee, if the violation is by an~~
403 ~~employee, of not more than four hundred dollars (\$400) seven~~
404 hundred fifty dollars (\$750).

405 ~~(3) Upon conviction of a third or subsequent violation~~
406 ~~at the same location within a two-year period, the board or~~
407 ~~hearing commission may levy an administrative fine upon the~~
408 ~~permit holder and the employee, if the violation is by an~~
409 ~~employee, of not more than seven hundred fifty dollars (\$750).~~

410 (4) ~~(3) Upon conviction of~~ For a ~~fourth~~ third or
411 subsequent violation at the same location within a ~~two-year~~
412 four-year period, the board or hearing commission ~~may~~ shall
413 levy an administrative fine upon the permit holder ~~and the~~
414 ~~employee, if the violation is by an employee, of not more than~~
415 one thousand dollars (\$1,000) and may suspend or revoke the
416 permit.

417 (f) Before imposition of any administrative
418 ~~fine~~ penalty, the permit holder shall be afforded all
419 procedural rights to due process in addition to those rights
420 guaranteed by the Alabama Administrative Procedure Act,



421 Chapter 22 of Title 41."

422 "§28-11-10

423 (a) The Tobacco Licensing and Compliance Fund is hereby
424 created in the State Treasury. The fund shall be administered
425 by the Licensing and Compliance Division of the board. All
426 fees and other funds collected by the board pursuant to this
427 chapter shall be deposited into the ~~State General Fund~~State
428 Treasury to the credit of the fund. Amounts deposited into the
429 fund shall be budgeted and allotted in accordance with
430 Sections 41-4-80 through 41-4-96 and Sections 41-19-1 through
431 41-19-12, Code of Alabama 1975. Monies in the fund shall be
432 used by the Licensing and Compliance Division of the board for
433 tobacco and nicotine prevention education, operational costs
434 associated with regulating permitted locations, and the
435 enforcement of this chapter."

436 "§28-11-12

437 (a) An advisory board shall be established to monitor
438 the implementation of this chapter. The advisory board shall
439 meet at least quarterly. Representation shall consist of one
440 representative from each of the following:

441 (1) The Office of the Governor.
442 (2) The Office of the Attorney General.
443 (3) The Department of Mental Health.
444 (4) The Department of Public Health.
445 (5) The Alcoholic Beverage Control Board.
446 (6) The Senate as appointed by the Lieutenant Governor.
447 (7) The House of Representatives as appointed by the
448 Speaker of the House of Representatives.



449 (8) The ~~Alabama Oilmen's Association and the Alabama~~
450 ~~Convenience Store Operators~~Petroleum & Convenience Marketers
451 of Alabama Association as appointed by the Governor and
452 selected from three nominees submitted by the association.

453 (9) The Alabama Retail Association as appointed by the
454 Governor and selected from three nominees submitted by the
455 association.

456 (10) The Alabama Grocers' Association as appointed by
457 the Governor and selected from three nominees submitted by the
458 association.

459 (11) The Breathe Easier Alliance of Alabama as
460 appointed by the Governor and selected from three nominees
461 submitted by the entity.

462 (12) The Alabama State Law Enforcement Agency.

463 (13) The Department of Revenue.

464 (14) The Alabama Chapter of the American Academy of
465 Pediatrics, as appointed by the entity.

466 (15) The executive director of Children First.

467 (b) The membership of the advisory board shall be
468 inclusive and reflect the racial, gender, geographic,
469 ~~urban/rural~~urban, rural, and economic diversity of the state.

470 (c) The chair of the advisory board shall be a
471 representative from the board who shall be responsible for the
472 conduct of the meetings and any correspondence derived
473 therefrom.

474 (d) Other than the legislative appointees, each
475 representative shall be appointed by his or her respective
476 department head, and shall hold the appointment for a one-year



477 term.

478 (e) A representative may be reappointed as deemed
479 appropriate by his or her department head, or in the case of
480 legislative appointees, the Lieutenant Governor or Speaker of
481 the House of Representatives.

482 (f) The advisory board may issue written
483 recommendations for program modification to the board."

484 "§28-11-13

485 (a) (1) It is unlawful for any individual under the age
486 of 21 years to purchase, use, possess, or transport tobacco, a
487 tobacco product, an electronic nicotine delivery system, or an
488 alternative nicotine product within this state.

489 (2) ~~It shall not be unlawful for~~ Notwithstanding
490 subdivision (1), an individual under the age of 21 years who
491 is an employee of a tobacco, tobacco product, electronic
492 nicotine delivery system, or alternative nicotine product
493 permit holder ~~to~~ may handle, transport, or sell tobacco, a
494 tobacco product, an electronic nicotine delivery system, or an
495 alternative tobacco product, ~~is~~ provided the employee is
496 acting within the line and scope of employment and the permit
497 holder, or an employee of the permit holder who is 21 years of
498 age or older, is present.

499 (b) It is unlawful for any individual under the age of
500 21 years to present or offer to another person proof of
501 identification which is false, fraudulent, or not actually his
502 or her own proof of identification in order to buy, receive,
503 or otherwise obtain, or attempt to buy, receive, or otherwise
504 obtain, any tobacco, tobacco product, electronic nicotine



505 delivery system, or alternative nicotine product.

506 (c) If ~~a minor~~ an individual under 19 years of age is
507 cited for any violation under this section, the citing agency
508 shall make reasonable efforts to notify a parent, legal
509 guardian, or legal custodian of the ~~minor~~individual that the
510 individual was cited for the violation. ~~unless~~ This subsection
511 does not apply ~~the minor~~if the individual has been
512 emancipated by court order or operation of law."

513 "§28-11-14

514 (a) (1) Any tobacco, tobacco product, alternative
515 nicotine product, e-liquids, electronic nicotine delivery
516 system, or false proof of identification found in the
517 possession of an individual under the age of 21 years is
518 contraband and subject to seizure by agents of the board or
519 any law enforcement officer.

520 (2) Prohibited tobacco, tobacco products, electronic
521 nicotine delivery systems, e-liquids, and alternative nicotine
522 products kept, stored, or deposited in any place in this state
523 for the purpose of unlawful sale or unlawful disposition or
524 unlawful furnishing or distribution, and the vessels and
525 receptacles in which the products are contained, are declared
526 to be contraband and shall be seized and forfeited to the
527 state and may be condemned for destruction pursuant to the
528 procedures of Article 11 of Chapter 4.

529 (3) Prohibited tobacco, tobacco products, electronic
530 nicotine delivery systems, e-liquids, and alternative nicotine
531 products may be searched for, seized, and ordered to be
532 destroyed pursuant to the procedures of Article 11 of Chapter

533 4.

534 (b) In any criminal prosecutions against a person for a
535 violation of this chapter, on conviction, the court may order
536 the destruction of any prohibited tobacco, tobacco products,
537 electronic nicotine delivery systems, e-liquids, and
538 alternative nicotine products which were (i) sold, offered for
539 sale, possessed, or otherwise disposed of by the defendant,
540 (ii) employed by the defendant for use or disposition at any
541 unlawful establishment by the defendant, (iii) possessed or
542 used in conducting the business of a tobacco dealer, or (iv)
543 used as evidence in the case.

544 (c) All fixtures, equipment, materials, and personal
545 property used in substantial connection with the sale or
546 possession of tobacco, tobacco products, electronic nicotine
547 delivery systems, e-liquids, and alternative nicotine products
548 involved in a knowing and intentional violation of this
549 article shall be subject to the same seizure and forfeiture
550 procedures as provided pursuant to Article 11 of Chapter 4.

551 (d) The board shall dispose of electronic nicotine
552 delivery systems, e-liquids, and alternative nicotine products
553 seized under this section by destruction as provided by rule
554 of the board. Any person from whom an electronic nicotine
555 delivery system, e-liquid, or alternative nicotine product is
556 seized and destroyed pursuant to this section shall be subject
557 to a fee, to be determined based on the cost of the
558 destruction and disposal of the electronic nicotine delivery
559 system, e-liquid, or alternative nicotine product as hazardous
560 waste.



561 (e) (1) Any~~Except as otherwise provided under Section 2~~
562 ~~of the act amending this section, an individual~~~~under the age~~
563 ~~of~~under 21 years ~~of age~~~~violating~~who violates Section
564 28-11-13 shall be issued a citation similar to a uniform
565 nontraffic citation and~~shall be fined not less than ten~~
566 ~~dollars (\$10) nor more than fifty dollars (\$50)~~punished as
567 follows for each violation, ~~and~~but shall be assessed no other
568 court costs or fees ~~associated with the violation:~~

569 a. For a first violation, a fine of not more than fifty
570 dollars (\$50) or 8 hours of community service.

571 b. For a second violation, a fine of not more than one
572 hundred dollars (\$100) or 16 hours of community service.

573 c. For a third or subsequent violation, a fine of not
574 more than two hundred dollars (\$200) or 32 hours of community
575 service.

576 (2) ~~(b) Notwithstanding any other provision of law, the~~
577 ~~disposition of any violation shall be within the jurisdiction~~
578 ~~of the district or municipal court and not the juvenile court.~~
579 Violations shall not be considered criminal offenses and shall
580 be administratively adjudicated by the~~district or municipal~~
581 court.

582 (3) The disposition of any individual under 18 years of
583 age charged with a violation of Section 28-11-13 shall be
584 subject to the exclusive jurisdiction of the juvenile court."

585 "§28-11-16

586 (a) (1) A retailer or manufacturer of electronic
587 nicotine delivery systems, e-liquids, or alternative nicotine
588 products may not advertise an electronic nicotine delivery



589 system, e-liquid, or an alternative nicotine product in any of
590 the following ways:

- 591 a. As a tobacco cessation product.
- 592 b. As a healthier alternative to smoking.
- 593 c. As available for purchase in any variety of flavors
594 other than tobacco, mint, or menthol on any outdoor billboard.
- 595 d. On any outdoor billboard located within 1,000 feet
596 of any public or private K-12 school or public playground.

597 (2) Paragraphs a. and b. of subdivision (1) are not
598 applicable to products that have received an order from the
599 FDA permitting the product to be marketed as a modified risk
600 tobacco product, and are marketed in accordance with that
601 order.

602 (b) (1) A specialty retailer of electronic nicotine
603 delivery systems or manufacturer of tobacco, tobacco products,
604 electronic nicotine delivery systems, e-liquids, or
605 alternative nicotine products may not in any way sponsor,
606 finance, or advertise a scholarship of any kind using the
607 brand name of any tobacco product, alternative nicotine
608 product, e-liquid, or electronic nicotine delivery system.

609 (2) A specialty retailer of electronic nicotine
610 delivery systems or manufacturer of tobacco, tobacco products,
611 electronic nicotine delivery systems, e-liquid, or alternative
612 nicotine products may not use the brand name of any tobacco
613 product, alternative nicotine product, e-liquid, or electronic
614 nicotine delivery system to advertise at or sponsor any event
615 at a stadium, concert, sporting event, or other public



616 performance event for which individuals aged 21 years or older
617 make up less than 85 percent of the total age demographic of
618 performing participants individuals performing at the event.

619 (3) A specialty retailer of electronic nicotine
620 delivery systems or manufacturer of tobacco, tobacco products,
621 electronic nicotine delivery systems, e-liquids, or
622 alternative nicotine products may not advertise a tobacco
623 product, electronic nicotine delivery system, e-liquid, or
624 alternative nicotine product in a newspaper, magazine,
625 periodical, or other print or digital publication distributed
626 in this state for which less than 85 percent of the viewership
627 or readership of the publication is made up of individuals 21
628 years of age or older as measured by competent and reliable
629 survey evidence.

630 (c) (1) A violation of subsection (a) or subsection (b)
631 shall result in a one hundred dollar (\$100) three hundred
632 dollar (\$300) fine for the first occurrence.

633 (2) A second or subsequent violation of subsection (a)
634 or subsection (b) shall result in a five hundred dollar (\$500)
635 seven hundred fifty dollar (\$750) fine per occurrence.

636 (3) Each day a violation of subsection (a) or
637 subsection (b) persists shall constitute a separate and
638 subsequent violation.

639 (d) A retailer or manufacturer of tobacco, tobacco
640 products, electronic nicotine delivery systems, e-liquids, or
641 alternative nicotine products may not advertise, market, or
642 offer for sale tobacco, a tobacco product, an electronic
643 nicotine delivery system, e-liquids, or an alternative



644 nicotine product in any of the following ways:

645 (1) By using, in the labeling or design of the product,
646 its packaging, or in its advertising or marketing materials,
647 the terms "candy" or "candies," any variant of these words, or
648 any other term referencing a type or brand of candy, including
649 types or brands of candy that do not include the words "candy"
650 or "candies" in their names or slogans.

651 (2) By using, in the labeling or design of the product,
652 its packaging, or in its advertising or marketing materials,
653 the terms "cake" or "cakes" or "cupcake" or "cupcakes" or
654 "pie" or "pies," any variant of these words, or any other term
655 referencing a type or brand of cake, pastry, or pie, including
656 types or brands of cakes, pastries, or pies that do not
657 include the words "cake" or "cakes" or "cupcake" or "cupcakes"
658 or "pie" or "pies" in their names or slogans.

659 (3) By using, in the labeling or design of the product,
660 its packaging, or in its advertising or marketing materials,
661 trade dress, trademarks, branding, or other related imagery
662 that imitates or replicates those of food brands or other
663 related products that are marketed to minors, including, but
664 not limited to, breakfast cereal, cookies, juice drinks, soft
665 drinks, frozen drinks, ice creams, sorbets, sherbets, and
666 frozen pops.

667 (4) By using, in the labeling or design of the product,
668 its packaging, or in its advertising or marketing materials,
669 trade dress, trademarks, branding, or other related imagery
670 that depicts or signifies characters or symbols that are known
671 to appeal primarily to minors, including, but not limited to,



672 superheroes, comic book characters, video game characters,
673 television show characters, movie characters, mythical
674 creatures, unicorns, or that otherwise incorporates related
675 imagery or scenery.

676 (e) The board may adopt rules to implement this
677 section, including rules regarding the suitability of labels
678 and procedures to reject advertising that appeals to minors,
679 including, but not limited to, the design of a product, its
680 packaging, or its advertising or marketing materials, trade
681 dress, trademarks, branding, or other related imagery.

682 (f) Any item found in violation of subsection (d) is a
683 prohibited item and shall be considered contraband and may be
684 seized as provided by Section 28-11-14 by an agent of the
685 board or any law enforcement officer."

686 "§28-11-17.1

687 (a) (1) ~~Beginning March 1, 2022, or other date not~~ Not
688 more than 30 days following a premarket tobacco application
689 submission deadline issued by the FDA, ~~whichever is later~~,
690 every e-liquid manufacturer and manufacturer of alternative
691 nicotine products whose products are sold in this state,
692 whether directly or through a distributor, retailer, or
693 similar intermediary or intermediaries, shall execute and
694 deliver on a form prescribed by the commissioner, a
695 certification to the commissioner certifying, under penalty of
696 perjury, that the product does not contain any synthetic
697 nicotine or nicotine derived from a source other than tobacco,
698 that the product may be lawfully sold and possessed in this
699 state, and that either of the following apply:



700 a. The product was on the market in the United States
701 as of August 8, 2016, and the manufacturer has applied for a
702 marketing order pursuant to 21 U.S.C. § 387j for the e-liquid,
703 e-liquid in combination with an electronic nicotine delivery
704 system, or alternative nicotine product, whichever is
705 applicable, by submitting a premarket tobacco product
706 application on or before September 9, 2020, to the FDA; and
707 either of the following is true:

708 1. The premarket tobacco product application for the
709 product remains under review by the FDA.

710 2. The FDA has issued a no marketing order for the
711 e-liquid, e-liquid in combination with an electronic nicotine
712 delivery system, or alternative nicotine product, whichever is
713 applicable, from the FDA; however, the agency or a federal
714 court has issued a stay order or injunction during the
715 pendency of the manufacturer's appeal of the no marketing
716 order.

717 b. The manufacturer has received a marketing order or
718 other authorization under 21 U.S.C. § 387j for the e-liquid,
719 e-liquid in combination with an electronic nicotine delivery
720 system, or alternative nicotine product, whichever is
721 applicable, from the FDA.

722 (2) In addition to the requirements in subdivision (1),
723 each manufacturer shall provide:

724 a. A copy of the cover page of the premarket tobacco
725 application with evidence of receipt of the application by the
726 FDA or a copy of the cover page of the marketing order or
727 other authorization issued pursuant to 21 U.S.C. § 387j,



728 whichever is applicable.

729 **b. Information that clearly identifies each product, submission tracking number (STN), product name, product subcategory, characterizing flavor, FDA order date, and type of order.**

733 (b) Any manufacturer submitting a certification
734 pursuant to subsection (a) shall notify the commissioner
735 within 30 days of any material change to the certification,
736 including issuance by the FDA of any of the following:

737 (1) A market order or other authorization pursuant to
738 21 U.S.C. § 387j.

739 (2) An order requiring a manufacturer to remove a
740 product from the market either temporarily or permanently.

741 (3) Any notice of action taken by the FDA affecting the
742 ability of the new product to be introduced or delivered into
743 interstate commerce for commercial distribution.

744 (4) Any change in policy that results in a product no
745 longer being exempt from federal enforcement oversight.

746 (c) The commissioner shall develop and maintain a
747 directory listing all e-liquid manufacturers and manufacturers
748 of alternative nicotine products that have provided
749 certifications that comply with subsection (a) and all
750 products that are listed in those certifications.

751 (d) The commissioner shall do all of the following:

752 (1) Make the directory available for public inspection
753 on its website by May 1, 2022.

754 (2) Update the directory as necessary in order to
755 correct mistakes and to add or remove e-liquid manufacturers,



756 manufacturers of alternative nicotine products, or products
757 manufactured by those manufacturers consistent with the
758 requirements of subsections (a) and (b) on a monthly basis.

759 (3) Remove from the directory any product that the
760 board determines is a prohibited item pursuant to Section
761 28-11-16(d).

762 ~~(3)~~ (4) Send monthly notifications to each wholesaler,
763 jobber, semijobber, retailer, importer, or distributor of
764 tobacco products that have qualified or registered with the
765 Department of Revenue, by electronic communication, containing
766 a list of all changes that have been made to the directory in
767 the previous month. In lieu of sending monthly notifications,
768 the commissioner may make the information available in a
769 prominent place on the Department of Revenue's public website.

770 ~~(4)~~ (e) Information required to be listed in the
771 directory shall not be subject to the confidentiality and
772 disclosure provisions in Section 40-2A-10.

773 ~~(e)~~ (f) Notwithstanding subsection (a), if an e-liquid
774 manufacturer or manufacturer of alternative nicotine products
775 can demonstrate to the commissioner that the FDA has issued a
776 rule, guidance, or any other formal statement that temporarily
777 exempts a product from the federal premarket tobacco
778 application requirements, the product may be added to the
779 directory upon request by the manufacturer if the manufacturer
780 provides sufficient evidence that the product is compliant
781 with the federal rule, guidance, or other formal statement, as
782 applicable.

783 ~~(f)~~ (g) Each certifying e-liquid manufacturer and



784 manufacturer of alternative nicotine products shall pay an
785 initial fee of two thousand dollars (\$2,000) to offset the
786 costs incurred by the department for processing the
787 certifications and operating the directory. The commissioner
788 shall collect an annual renewal fee of five hundred dollars
789 (\$500) to offset the costs associated with maintaining the
790 directory and satisfying the requirements of this section. The
791 fees received under this section by the department shall be
792 used by the department exclusively for processing the
793 certifications and operating and maintaining the directory.
794 After the payment of these expenses, ~~two-thirds~~ one-half of
795 the remaining funds shall be deposited into the State General
796 Fund, and the remaining ~~one-third~~ one-half shall be
797 distributed evenly to the Alabama State Law Enforcement Agency
798 and to the Licensing and Compliance Division of the board to
799 be used for the enforcement of this chapter.

800 ~~(g)~~ (h) Beginning on September 1, 2021, no e-liquid,
801 e-liquid in combination with an electronic nicotine delivery
802 system, or alternative nicotine product that, in the case of
803 any such product, contains synthetic nicotine or nicotine
804 derived from a source other than tobacco may be sold or
805 otherwise distributed in this state without first obtaining
806 approval from the FDA for sale as a drug under Section
807 201(g)(1) of the Federal Food, Drug, and Cosmetic Act, a
808 device under Section 201(h) of the Federal Food, Drug, and
809 Cosmetic Act, a combination product described in Section
810 503(g) of the Federal Food, Drug, and Cosmetic Act, or some
811 other medical purpose.



812 ~~(h) (i) (1) Beginning May 1, 2022, or on the date that~~
813 ~~the Department of Revenue first makes the directory available~~
814 ~~for public inspection on its website as provided in subsection~~
815 ~~(d), whichever is later, an~~ An e-liquid manufacturer or
816 manufacturer of alternative nicotine products or electronic
817 nicotine delivery systems who offers for sale a product not
818 listed on the directory is subject to a one thousand dollars
819 (\$1,000) daily fine for each product offered for sale in
820 violation of this section until the offending product is
821 removed from the market or until the offending product is
822 properly listed on the directory. For purposes of this
823 subdivision, "sale" includes a delivery sale of e-liquids or
824 electronic nicotine delivery systems or alternative nicotine
825 products, as defined under this chapter.

826 (2) Any other violation of this section shall result in
827 a fine of five hundred dollars (\$500) per offense.

828 (j) (1) When any retail permit holder offers for sale a
829 product not listed on the directory, the board shall assess
830 the following administrative penalties:

831 a. For a first offense within a four-year period, an
832 administrative penalty of five hundred dollars (\$500).

833 b. For a second offense within a four-year period, an
834 administrative penalty of seven hundred fifty dollars (\$750).

835 c. For a third or subsequent offense within a four-year
836 period, an administrative penalty of one thousand dollars
837 (\$1,000). In addition, the board may suspend or revoke the
838 permit of the permit holder.

839 (2) All products offered for sale and not listed on the



840 directory shall be considered a prohibited item and declared
841 to be contraband and may be seized and forfeited as provided
842 in Section 28-11-14 by agents of the board or any law
843 enforcement officer.

844 (k) Any fine collected for a violation of this section
845 shall be deposited into the Education Trust Fund to the credit
846 of the State Board of Education to be used for the
847 establishment and administration of vape awareness, education,
848 and prevention programs and the provision of drug education
849 and prevention curriculum, as provided in Section 2 of the act
850 amending this section.

851 ~~(i)~~ (1) The ~~commissioner~~ Alcoholic Beverage Control
852 Board and the Commissioner of Revenue shall adopt rules for
853 the implementation and enforcement of this section."

854 "§28-11-18

855 (a) All liquid nicotine containers offered for sale
856 that are intended to be vaporized in an electronic nicotine
857 delivery system shall be contained in child-resistant
858 packaging.

859 (b) A ~~specialty~~ retailer of tobacco, tobacco products,
860 alternative nicotine products, e-liquids, or electronic
861 nicotine delivery systems shall display in a prominent area of
862 the retail store near the point of sale, a an 8 1/2 x 11 inch
863 sign or signs containing ~~which contains~~ the following
864 statements:

865 (1) "ALABAMA LAW STRICTLY PROHIBITS THE PURCHASE OF
866 TOBACCO, TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS,
867 E-LIQUIDS, AND ELECTRONIC NICOTINE DELIVERY SYSTEMS BY PERSONS



868 UNDER THE AGE OF 21 YEARS. PROOF OF AGE IS REQUIRED."

869 ~~(2) "THE USE OF SOME VAPING DEVICES MAY INCREASE YOUR~~
870 ~~RISK OF EXPOSURE TO POTENTIALLY TOXIC LEVELS OF HEAVY METALS~~
871 ~~SUCH AS LEAD, CHROMIUM, AND NICKEL."~~

872 ~~(3) (2) "WARNING: TOBACCO, TOBACCO PRODUCTS, ALTERNATIVE~~
873 ~~NICOTINE PRODUCTS, E-LIQUIDS, ELECTRONIC NICOTINE DELIVERY~~
874 ~~SYSTEMS, AND VAPING PRODUCTS OFFERED FOR SALE IN THIS STORE~~
875 CONTAIN NICOTINE UNLESS OTHERWISE MARKED. NICOTINE IS A HIGHLY

876 ADDICTIVE CHEMICAL WHICH CAN HARM BRAIN DEVELOPMENT IN

877 CHILDREN AND ADOLESCENTS AND WHICH POSES SERIOUS HEALTH RISKS

878 TO PREGNANT WOMEN AND THEIR BABIES."

879 (c) In addition to the requirements of subsection (b),
880 a retailer of alternative nicotine products or electronic
881 nicotine delivery systems shall include the following
882 statement on the required posted sign:

883 "THE USE OF SOME VAPING DEVICES MAY INCREASE YOUR RISK
884 OF EXPOSURE TO POTENTIALLY TOXIC LEVELS OF HEAVY METALS SUCH
885 AS LEAD, CHROMIUM, AND NICKEL."

886 (d) Posted signs required by this section, at a
887 minimum, must accurately list the type of products sold at the
888 retail establishment. If a retailer does not sell all of the
889 product types listed in the statements described in
890 subsections (b) or (c), the retailer may amend the products
891 listed on the sign to accurately reflect the type of products
892 sold."

893 "§28-11-19

894 (a) Beginning ~~January 1, 2020~~ on the effective date of
895 the act amending this section, a county~~the~~ board may not issue



896 a license to conduct business as a specialty retailer of
897 electronic nicotine delivery systems if the retail business is
898 located within 1,000 feet of any of the following:

899 (1) A public or private K-12 school.

900 (2) A licensed child-care facility or preschool.

901 (3) A church.

902 (4) A public library.

903 (5) A public playground.

904 (6) A public park.

905 (7) A youth center or other space used primarily for
906 youth-oriented activities.

907 (b) This section does not apply to a specialty retailer
908 of electronic nicotine delivery systems that obtained a
909 business license at a location prohibited in subsection (a)
910 prior to January 1, 2020, that has conducted business as a
911 specialty retailer of electronic nicotine delivery systems at
912 that location for at least 18 consecutive months, and that
913 remains in the same location.

914 (c) The Licensing and Compliance Division of the board
915 may refer a violation of this section to the Office of the
916 Attorney General for enforcement of this section."

917 Section 2. (a) By July 1, 2023, the State Board of
918 Education shall adopt a model policy for the establishment of
919 a vape awareness, education, and prevention program to
920 prohibit the possession and use of prohibited tobacco, tobacco
921 products, electronic nicotine delivery systems, e-liquids, and
922 alternative nicotine products by students in K-12 schools.

923 (b) By September 1, 2023, each local board of education



924 shall adopt a policy that, at a minimum, contains the criteria
925 established in the model policy adopted by the State Board of
926 Education.

927 (c) The model policy adopted by the State Board of
928 Education, at a minimum, shall contain all of the following:

929 (1) A statement prohibiting the possession or use of
930 tobacco, tobacco products, electronic nicotine delivery
931 systems, e-liquids, and alternative nicotine product, as those
932 terms are defined under Section 28-11-2, Code of Alabama 1975,
933 by any student at a K-12 school, on a school bus, or at any
934 school-sponsored function.

935 (2) A series of graduated consequences for any student
936 who violates this policy by possessing or using tobacco,
937 tobacco products, electronic nicotine delivery systems,
938 e-liquids, or alternative nicotine products as prohibited by
939 this section. Graduated consequences may include, but are not
940 limited to, in-school suspension, out-of-school suspension, or
941 alternative school, or any combination thereof, and shall
942 conform with applicable disability, antidiscrimination, and
943 education laws and school discipline policies.

944 (3)a. A requirement that any student in violation of
945 the prohibition against possession or use of tobacco, tobacco
946 products, electronic nicotine delivery systems, e-liquids, or
947 alternative nicotine products be required to attend and
948 complete a vaping awareness, education, and prevention class
949 based on curriculum established by the Drug Education Council
950 and approved by the State Board of Education.

951 b. An additional requirement that on a second or



952 subsequent violation, the student must attend and complete the
953 vaping awareness, education, and prevention class with his or
954 her parent or legal guardian.

955 (4) A model complaint form and procedure for reporting
956 violations of this section. An anonymous report may not be the
957 basis of imposing formal disciplinary action against a
958 student.

959 (5) A procedure for the prompt investigation of reports
960 of serious violations and complaints, specifying that the
961 principal, assistant principal, or school resource officer is
962 the individual responsible for the investigation.

963 (6) A response procedure for a school to follow upon
964 confirmation of the possession or use of tobacco, tobacco
965 products, electronic nicotine delivery systems, e-liquids, or
966 alternative nicotine products as prohibited by this section.

967 (7) A procedure for publicizing local school board
968 policy through publication in the student handbook, including
969 providing notice that the policy applies to behavior occurring
970 on school property, school buses, and school-sponsored
971 functions.

972 (c) The policy adopted by each local board of education
973 shall be included in the code of conduct policy of the local
974 board of education and included in the student handbook.

975 (d) Any discipline received by a student for the
976 possession or use of tobacco, tobacco products, electronic
977 nicotine delivery systems, e-liquids, or alternative nicotine
978 products at a K-12 school, on a school bus, or at any
979 school-sponsored function in violation of this section shall



980 be in lieu of any penalty provided under Section 28-11-13,
981 Code of Alabama 1975.

982 Section 3. The Alcoholic Beverage Control Board shall
983 adopt rules to implement and administer Chapter 11 of Title
984 28, Code of Alabama 1975.

985 Section 4. Section 28-11-15, Code of Alabama 1975,
986 relating to the posting of signs regarding the sale of tobacco
987 and tobacco products, is repealed.

988 Section 5. Although this bill would have as its purpose
989 or effect the requirement of a new or increased expenditure of
990 local funds, the bill is excluded from further requirements
991 and application under Section 111.05 of the Constitution of
992 Alabama of 2022, because the bill defines a new crime or
993 amends the definition of an existing crime.

994 Section 6. Sections 2 and 3 of this act shall become
995 effective immediately and the remaining sections of this act
996 shall become effective on the first day of the third month
997 following its passage and approval by the Governor, or its
998 otherwise becoming law.



999
1000
1001

House of Representatives

1002 Read for the first time and referred13-Apr-23
1003 to the House of Representatives
1004 committee on Boards, Agencies and
1005 Commissions
1006
1007 Read for the second time and placed03-May-23
1008 on the calendar:
1009 0 amendments
1010
1011 Read for the third time and passed16-May-23
1012 as amended
1013 Yeas 100
1014 Nays 1
1015 Abstains 3
1016
1017
1018 John Treadwell
1019 Clerk
1020