

HB183 INTRODUCED



1 HB183
2 QEHY515-1
3 By Representative Lipscomb
4 RFD: Public Safety and Homeland Security
5 First Read: 15-Feb-24



4 SYNOPSIS:

5 This bill would prohibit the state and political
6 subdivisions of the state, and their law enforcement
7 officers, agents, and employees from transporting
8 homeless individuals to another city or county within
9 the state, unless being done for a lawful purpose.

10 This bill would provide for criminal penalties
11 for violations.

12 Section 111.05 of the Constitution of Alabama of
13 2022, prohibits a general law whose purpose or effect
14 would be to require a new or increased expenditure of
15 local funds from becoming effective with regard to a
16 local governmental entity without enactment by a 2/3
17 vote unless: it comes within one of a number of
18 specified exceptions; it is approved by the affected
19 entity; or the Legislature appropriates funds, or
20 provides a local source of revenue, to the entity for
21 the purpose.

22 The purpose or effect of this bill would be to
23 require a new or increased expenditure of local funds
24 within the meaning of the section. However, the bill
25 does not require approval of a local governmental
26 entity or enactment by a 2/3 vote to become effective
27 because it comes within one of the specified exceptions
28 contained in the section.



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A BILL

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TO BE ENTITLED

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AN ACT

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35 Relating to crimes and offenses; to prohibit the state
36 and political subdivisions of the state, and their law
37 enforcement officers, agents, and employees from transporting
38 homeless individuals to another city or county within the
39 state, unless being done for a lawful purpose; and in
40 connection therewith would have as its purpose or effect the
41 requirement of a new or increased expenditure of local funds
42 within the meaning of Section 111.05 of the Constitution of
43 Alabama of 2022.

44 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

45 Section 1. (a) For the purpose of this section,
46 "homeless" has the same meaning as in Section 15-20A-4, Code
47 of Alabama 1975.

48 (b) Unless being done for a lawful purpose, the state
49 or a political subdivision of the state, or a law enforcement
50 officer, agent, or employee thereof, when acting in his or her
51 official capacity, shall not transport a homeless individual
52 to another city or county within the state.

53 (c) A violation of this section is a Class A
54 misdemeanor.

55 Section 2. Although this bill would have as its purpose
56 or effect the requirement of a new or increased expenditure of



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57 local funds, the bill is excluded from further requirements
58 and application under Section 111.05 of the Constitution of
59 Alabama of 2022, because the bill defines a new crime or
60 amends the definition of an existing crime.

61 Section 3. This act shall become effective on October
62 1, 2024.