

SB41 ENGROSSED



1 SB41
2 9R27PMB-2
3 By Senator Kelley (N & P)
4 RFD: Local Legislation
5 First Read: 04-Feb-25



SB41 Engrossed

A BILL
TO BE ENTITLED
AN ACT

Relating to Calhoun County; to authorize the county commission and the governing bodies of municipalities to regulate halfway houses and other similar facilities; to provide for enforcement; and to provide for repeal of the act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) COURT ORDER. An order from a court requiring an individual to reside at a facility.

(2) FACILITY. Any halfway house; substance abuse rehabilitation treatment facility; sober living facility; or any other facility that is housing any resident who: (i) is enrolled in the facility by court order; or (ii) is supervised by the Calhoun County Community Punishment and Corrections Authority, Inc.

(3) HALFWAY HOUSE. Any group residence designed to facilitate individuals in their readjustment to private life following their release from institutionalization.

(b) The Calhoun County Commission, by resolution, may regulate facilities in the county. The governing body of a



SB41 Engrossed

municipality, by resolution, may regulate facilities in the municipality. The regulations may include, but are not limited to:

(1) A permit requirement.

(2) Size requirements or limitations.

(3) Location requirements or limitations, including, but not limited to, required minimum distances from other specified locations.

(4) Limits on the number of tenants per room.

(5) A civil penalty of up to one thousand dollars (\$1,000) to be assessed per day, per resident, for each violation. Before the assessment of any penalties, the county commission or governing body of the municipality shall provide for notice and a hearing.

(c) Any resolution adopted pursuant to this section may be enforced by the respective governing body by an action against the owner of the facility in the Civil Division of the Circuit Court of Calhoun County.

(d) Any resolution adopted pursuant to this section shall prohibit a registered sex offender from residing in any facility that houses any resident who is enrolled in the facility by court order or who is supervised by the Calhoun County Community Punishment and Corrections Authority, Inc.

Section 2. This act shall be repealed on June 1, 2028.

Section 3. This act shall become effective on June 1, 2025.



SB41 Engrossed

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57 Senate

58 Read for the first time and referred04-Feb-25
59 to the Senate committee on Local
60 Legislation

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62 Read for the second time and placed25-Feb-25
63 on the calendar:
64 0 amendments

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66 Read for the third time and passed04-Mar-25
67 as amended
68 Yeas 32
69 Nays 0
70 Abstains 0

71
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73 Patrick Harris,
74 Secretary.
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