

**SB41 ENGROSSED**



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



1  
2  
3

4 A BILL  
5 TO BE ENTITLED  
6 AN ACT

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

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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



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

32 (1) A permit requirement.  
33 (2) Size requirements or limitations.  
34 (3) Location requirements or limitations, including,  
35 but not limited to, required minimum distances from other  
36 specified locations.

37 (4) Limits on the number of tenants per room.  
38 (5) A civil penalty of up to one thousand dollars  
39 (\$1,000) to be assessed per day, per resident, for each  
40 violation. Before the assessment of any penalties, the county  
41 commission or governing body of the municipality shall provide  
42 for notice and a hearing.

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

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

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 This act shall be repealed on June 1, 2028.

53 Section 3. This act shall become effective on June 1,  
54 2025.



55  
56  
57 Senate

58 Read for the first time and referred ..... 04-Feb-25  
59 to the Senate committee on Local  
60 Legislation  
61  
62 Read for the second time and placed ..... 25-Feb-25  
63 on the calendar:  
64 0 amendments  
65  
66 Read for the third time and passed ..... 04-Mar-25  
67 as amended  
68 Yeas 32  
69 Nays 0  
70 Abstains 0  
71  
72  
73 Patrick Harris,  
74 Secretary.  
75