

1 SB420
2 117621-1
3 By Senators Mitchem and Butler
4 RFD: Judiciary
5 First Read: 11-FEB-10

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8 SYNOPSIS: Under existing law, many counties, by local
9 law, authorize the district attorney to appoint
10 investigators who serve at the pleasure of the
11 district attorney and provide for the powers of the
12 investigators.

13 This bill would provide that the district
14 attorney of any judicial circuit in the state could
15 appoint investigators who would serve at the
16 pleasure of the district attorney who appointed
17 them. This bill would require the investigators to
18 meet the minimum standards for law enforcement
19 officers and would provide that they have the same
20 power as other law enforcement officers.

21 This bill would also provide that any county
22 with a local act providing for the appointment of
23 investigators would operate pursuant to the local
24 act.

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26 A BILL
27 TO BE ENTITLED

1 AN ACT

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3 To provide for the appointment of investigators in
4 the office of the district attorney of any judicial circuit;
5 to provide for the authority and duties of the investigators;
6 and to provide that this act shall not supersede certain local
7 laws in effect on the effective date of this act or enacted
8 after the effective date unless they are expressly repealed.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Unless otherwise provided by local law,
11 the district attorney of any judicial circuit in this state
12 may appoint a chief investigator and, from time to time,
13 additional investigators. The chief investigator and other
14 investigators shall serve at the pleasure of the district
15 attorney. The chief investigator and any additional
16 investigators shall meet the minimum standards for law
17 enforcement officers and hold a current certification from the
18 Alabama Peace Officers' Standards and Training Commission. The
19 chief investigator and other investigators shall have the same
20 power and authority as deputy sheriffs and other law
21 enforcement officers in this state. The chief investigator and
22 any additional investigators shall be paid in the same manner
23 as other employees in the district attorney's office. They
24 shall be responsible to the district attorney and shall
25 perform duties as assigned by the district attorney.

26 Section 2. The Legislature may continue to enact
27 local laws in the future or repeal existing local laws

1 authorizing the appointment of investigators and providing for
2 the powers of those investigators. This act shall not
3 supersede existing local acts on the effective date of this
4 act or any local act enacted after the effective date of this
5 act providing for appointment of investigators by the district
6 attorney in any county. Any district attorney appointing
7 investigators pursuant to a local act may continue to appoint
8 investigators according to that act until it is expressly
9 repealed. Any investigator appointed pursuant to a local act
10 of the Legislature may continue to exercise the powers and
11 authorities provided in the local act until the local act is
12 expressly repealed. Upon repeal of a local act authorizing the
13 district attorney to appoint investigators and providing for
14 the powers and authority of the investigators, the district
15 attorney may appoint investigators pursuant to this act.

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