

1 HB70
2 181434-1
3 By Representative Poole
4 RFD: Judiciary
5 First Read: 07-FEB-17
6 PFD: 01/27/2017

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8 SYNOPSIS: Under existing law, the age of majority is
9 19 years.

10 This bill would lower the age of majority to
11 18 years and provide for certain exceptions.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT

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17 To amend Section 26-1-1, Code of Alabama 1975,
18 relating to the age of majority, to lower the age of majority
19 to 18 years; to provide for certain exceptions; and to amend
20 Section 13A-12-3, Code of Alabama 1975, relating to selling
21 tobacco products to minors, to retain the age limitation on
22 sales.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Sections 26-1-1 and 13A-12-3, Code of
25 Alabama 1975, are amended to read as follows:

26 "§26-1-1.

1 "(a) Any person in this state, at the arrival at the
2 age of ~~19~~ 18 years, shall be relieved of his or her
3 disabilities of minority and thereafter shall have the same
4 legal rights and abilities as persons over 21 years of age. No
5 law of this state shall discriminate for or against any person
6 between and including the ages of ~~19~~ 18 and 21 years solely on
7 the basis of age.

8 "(b) (1) This section shall also apply to any person
9 who arrived at the age of 19 and 20 years before July 22,
10 1975, but shall not abrogate any defense or abridge any remedy
11 available to him or her prior to such date.

12 "(2) This section shall also apply to any person who
13 arrived at the age of 18 before the effective date of the act
14 adding this subdivision, but shall not abrogate any defense or
15 abridge any remedy available to him or her prior to that date.

16 "(c) All laws or parts of laws which read "under the
17 age of 21 years" or "under the age of 19 years" hereafter
18 shall read "under the age of ~~19~~ 18 years." Wherever the words
19 "under the age of 21 years" appear in any law limiting the
20 legal rights and abilities of persons under such age, such
21 words shall be construed to mean under the age of ~~19~~ 18 years.

22 "(d) Notwithstanding subsection (c), nothing in this
23 section shall be deemed to repeal any provision of Chapter 19
24 of Title 15.

25 "(e) Notwithstanding subsection (a), an honorably
26 discharged veteran who is under the age of 19 shall be

1 permitted to enter into a contract for the purchase of a motor
2 vehicle.

3 "(f) Notwithstanding subsection (a), or any other
4 provision of law to the contrary, a person who is 18 years of
5 age or older may consent to participate in research conducted
6 by a college or university that is accredited by a federally
7 recognized accrediting agency if the research has been
8 approved by the Institutional Review Board of the institution.

9 "(g) Notwithstanding the provisions of subsection
10 (c), nothing in this section shall affect or be deemed to
11 affect any child support order or any law relating to child
12 support, including any court decision relating to child
13 support.

14 "(h) Notwithstanding the provisions of subsection
15 (c), subsections (a) and (c) shall not apply to any benefits
16 provided by a health insurance policy, health benefit plan,
17 health care service plan, or health maintenance organization.

18 "(i) Notwithstanding the provisions of subsection
19 (c), subsections (a) and (c) shall not apply to any
20 proceedings pursuant to Chapter 2A of Title 26, the Alabama
21 Uniform Guardianship and Protective Proceedings Act.

22 "(j) Notwithstanding the provisions of subsection
23 (c), nothing in this section shall affect the right of a
24 parent or legal guardian to the school records of a dependent
25 student.

1 "(k) Notwithstanding the provisions of subsection
2 (c), nothing in this section shall affect any law relating to
3 abortions.

4 "(l) Notwithstanding the provisions of subsection
5 (c), nothing in this section shall affect the age at which a
6 person is under the jurisdiction of the juvenile courts or the
7 age at which a person is eligible for consideration for
8 youthful offender status.

9 "(m) Notwithstanding the provisions of subsection
10 (c), nothing in this section shall allow an individual under
11 the age of 19 to enter into a contract for the loan of money."

12 "§13A-12-3.

13 "Any person who sells, barters, exchanges, or gives
14 to any ~~minor~~ person under the age of 19 any cigarettes,
15 cigarette tobacco or cigarette paper, or any substitute for
16 either of them shall, on conviction, be fined not less than
17 \$10.00 nor more than \$50.00 and may also be imprisoned in the
18 county jail or sentenced to hard labor for the county for not
19 more than 30 days."

20 Section 2. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.