

1 HB133
2 203794-2
3 By Representative Sorrell
4 RFD: Public Safety and Homeland Security
5 First Read: 04-FEB-20

8 SYNOPSIS: This bill would prohibit individuals from
9 transporting animals in a flatbed truck while
10 traveling on a public highway with exceptions.

11 Amendment 621 of the Constitution of Alabama
12 of 1901, now appearing as Section 111.05 of the
13 Official Recompilation of the Constitution of
14 Alabama of 1901, as amended, prohibits a general
15 law whose purpose or effect would be to require a
16 new or increased expenditure of local funds from
17 becoming effective with regard to a local
18 governmental entity without enactment by a 2/3 vote
19 unless: it comes within one of a number of
20 specified exceptions; it is approved by the
21 affected entity; or the Legislature appropriates
22 funds, or provides a local source of revenue, to
23 the entity for the purpose.

24 The purpose or effect of this bill would be
25 to require a new or increased expenditure of local
26 funds within the meaning of the amendment. However,
27 the bill does not require approval of a local

1 governmental entity or enactment by a 2/3 vote to
2 become effective because it comes within one of the
3 specified exceptions contained in the amendment.
4

5 A BILL
6 TO BE ENTITLED
7 AN ACT
8

9 Relating to individuals driving on a public highway
10 with exceptions; to prohibit an individual from transporting
11 an animal in a flatbed truck; and in connection therewith
12 would have as its purpose or effect the requirement of a new
13 or increased expenditure of local funds within the meaning of
14 Amendment 621 of the Constitution of Alabama of 1901, now
15 appearing as Section 111.05 of the Official Recompilation of
16 the Constitution of Alabama of 1901, as amended.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

20 (1) FLATBED TRUCK. A motor vehicle with an open
21 platform with sides lower than 12 inches that are attached to
22 the back of the vehicle's frame.

23 (2) PUBLIC HIGHWAY. A road, highway, or thoroughfare
24 with two or more lanes used by the traveling public. This term
25 does not include a county or municipal road.

26 (b) An individual operating a flatbed truck may not
27 transport an animal in the open platform of the truck on a

1 public highway unless the animal is secured in a cage which
2 will prevent the animal from falling, being thrown, or jumping
3 from the flatbed truck.

4 (c) Any individual violating this section shall be
5 guilty of a violation, and upon conviction, shall be punished
6 by a fine of not more than fifty dollars (\$50) for a first
7 offense, nor more than two hundred dollars (\$200) for each
8 subsequent offense.

9 Section 2. Although this bill would have as its
10 purpose or effect the requirement of a new or increased
11 expenditure of local funds, the bill is excluded from further
12 requirements and application under Amendment 621, now
13 appearing as Section 111.05 of the Official Recompilation of
14 the Constitution of Alabama of 1901, as amended, because the
15 bill defines a new crime or amends the definition of an
16 existing crime.

17 Section 3. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.