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3 HOUSE JUDICIARY SUBSTITUTE FOR HB445  
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8 SYNOPSIS: Under existing law, the crime of assault in  
9 the second degree is committed when a person, with  
10 an intent to prevent a peace officer, detention or  
11 correctional officer, emergency medical personnel,  
12 or firefighter from performing a lawful duty,  
13 intends to cause physical injury and causes  
14 physical injury to any person.

15 This bill would establish the crimes of  
16 assault against a first responder in the first and  
17 second degrees and would also further provide for  
18 the crime of assault in the second degree to  
19 reflect the creation of the crimes of assault  
20 against a first responder in the first and second  
21 degrees.

22 This bill would amend the crimes of riot and  
23 inciting to riot and would establish the crimes of  
24 aggravated riot and unlawful traffic interference.  
25 This bill would also include a mandatory period of  
26 incarceration to serve that is not subject to  
27 probation or parole.

1 Under existing law, a person arrested for a  
2 crime of domestic violence or elder abuse is  
3 required to be held in custody until brought before  
4 the court within 48 hours for the purpose of  
5 consideration of bail.

6 This bill would provide that if a person is  
7 arrested for committing a crime of assault against  
8 a first responder, riot, inciting to riot,  
9 aggravated riot, or unlawful traffic interference,  
10 the person would be required to be held in custody  
11 until brought before the court within 24 hours for  
12 the purpose of consideration of bail, or if not  
13 brought before the court within 24 hours, would be  
14 subject to bail according to the Alabama Rules of  
15 Criminal Procedure.

16 Under existing law, local law enforcement  
17 agencies are primarily funded by the political  
18 subdivisions of the state for whom the agencies  
19 serve.

20 This bill would provide that if a political  
21 subdivision of the state dissolves or defunds a  
22 local law enforcement agency, the political  
23 subdivision may not receive any state grant or aid  
24 money and may not receive any allocation of any  
25 state revenues directly shared with local  
26 governments that is not otherwise required by the  
27 Constitution of Alabama of 1901, until the local

1 law enforcement agency is fully restored and  
2 funded, with exceptions.

3 Amendment 621 of the Constitution of Alabama  
4 of 1901, as amended by Amendment 890, now appearing  
5 as Section 111.05 of the Official Recompilation of  
6 the Constitution of Alabama of 1901, as amended,  
7 prohibits a general law whose purpose or effect  
8 would be to require a new or increased expenditure  
9 of local funds from becoming effective with regard  
10 to a local governmental entity without enactment by  
11 a 2/3 vote unless: it comes within one of a number  
12 of specified exceptions; it is approved by the  
13 affected entity; or the Legislature appropriates  
14 funds, or provides a local source of revenue, to  
15 the entity for the purpose.

16 The purpose or effect of this bill would be  
17 to require a new or increased expenditure of local  
18 funds within the meaning of the amendment. However,  
19 the bill does not require approval of a local  
20 governmental entity or enactment by a 2/3 vote to  
21 become effective because it comes within one of the  
22 specified exceptions contained in the amendment.

23  
24 A BILL  
25 TO BE ENTITLED  
26 AN ACT  
27

1                   Relating to crimes and offenses; to create the  
2 Anti-Aggravated Riot Act; to amend Sections 13A-6-21,  
3 13A-11-1, 13A-11-3, 13A-11-4, and 15-10-3, Code of Alabama  
4 1975, and to add Sections 13A-11-3.1 and 13A-11-5.1 to the  
5 Code of Alabama 1975, to create the crimes of assault against  
6 a first responder in the first and second degrees; to further  
7 provide for the crimes of riot and inciting to riot; to create  
8 the crime of aggravated riot; to provide further for the crime  
9 of assault in the second degree; to create the crime of  
10 unlawful traffic interference; to further provide for  
11 penalties for certain violations; to further provide for the  
12 arrest, release, and bail of certain offenders; to provide  
13 restrictions on the issuance of certain state funds to a  
14 political subdivision that abolishes or reduces funding to a  
15 local law enforcement agency under certain conditions; and in  
16 connection therewith would have as its purpose or effect the  
17 requirement of a new or increased expenditure of local funds  
18 within the meaning of Amendment 621 of the Constitution of  
19 Alabama of 1901, as amended by Amendment 890, now appearing as  
20 Section 111.05 of the Official Recompilation of the  
21 Constitution of Alabama of 1901, as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23                   Section 1. This act shall be known and may be cited  
24 as the Anti-Aggravated Riot Act.

25                   Section 2. (a) As used in this section, the term  
26 first responder includes state, local, and tribal law  
27 enforcement officers; dogs or horses employed by a law

1 enforcement agency for the principal purpose of aiding in the  
2 detection of criminal activity, enforcement of laws, or  
3 apprehension of criminal offenders; detention and correctional  
4 officers at any municipal or county jail or state  
5 penitentiary; fire department and voluntary fire department  
6 personnel; and emergency medical personnel who are actively  
7 employed or on active volunteer status.

8 (b) A person commits the crime of assault against a  
9 first responder in the first degree when the person  
10 intentionally does any of the following to a first responder  
11 who is engaged in the performance of his or her official  
12 duties:

13 (1) Causes serious physical injury to the first  
14 responder.

15 (2) Causes physical injury by deadly weapon or  
16 dangerous instrument to the first responder.

17 (3) Causes physical injury to the first responder by  
18 strangulation or suffocation, or an attempt thereof.

19 (4) Causes physical injury to the first responder  
20 during a riot, aggravated riot, or unlawful assembly.

21 (5) Causes or attempts to cause a first responder to  
22 come into contact with bodily fluids, unless the first  
23 responder consented to the contact or the contact was  
24 necessary to provide medical care. For purposes of this  
25 subdivision, "bodily fluids" has the same meaning as defined  
26 under Section 13A-6-242, Code of Alabama 1975.

1 (c) Assault against a first responder in the first  
2 degree is a Class B felony. The defendant shall serve a  
3 minimum term of imprisonment of six months without  
4 consideration of probation, parole, good time credits, or any  
5 other reduction in time.

6 (d) In addition to any fine, the defendant shall pay  
7 restitution, including but not limited to all of the  
8 following:

9 (1) Costs of any and all medical treatment by any  
10 victim of the violation, including physical and occupational  
11 therapy and rehabilitation.

12 (2) Cost of any damage to property, or full value of  
13 property if destroyed or damaged beyond repair.

14 (3) Any and all other losses suffered by any victim  
15 as a result of a violation of this section.

16 Section 3. (a) As used in this section, the term  
17 first responder includes state, local, and tribal law  
18 enforcement officers; dogs or horses employed by a law  
19 enforcement agency for the principal purpose of aiding in the  
20 detection of criminal activity, enforcement of laws, or  
21 apprehension of criminal offenders; detention and correctional  
22 officers at any municipal or county jail or state  
23 penitentiary; fire department and voluntary fire department  
24 personnel; and emergency medical personnel who are actively  
25 employed or on active volunteer status.

26 (b) A person commits the crime of assault against a  
27 first responder in the second degree when the person

1 intentionally causes physical injury to a first responder who  
2 is engaged in the performance of his or her official duties.

3 (c) Assault against a first responder in the second  
4 degree is a Class C felony. The defendant shall serve a  
5 minimum term of imprisonment of three months without  
6 consideration of probation, parole, good time credits, or any  
7 other reduction in time.

8 (d) In addition to any fine, the defendant shall pay  
9 restitution, including but not limited to all of the  
10 following:

11 (1) Costs of any and all medical treatment of or for  
12 any victim of the violation, including physical and  
13 occupational therapy and rehabilitation.

14 (2) Cost of any damage to property, or full value of  
15 property if destroyed or damaged beyond repair.

16 (3) Any and all other losses suffered by any victim  
17 as a result of a violation of this section.

18 Section 4. Section 13A-6-21, Code of Alabama 1975,  
19 is amended to read as follows:

20 "§13A-6-21.

21 "(a) A person commits the crime of assault in the  
22 second degree if the person does any of the following:

23 "(1) With intent to cause serious physical injury to  
24 another person, he or she causes serious physical injury to  
25 any person.

1           "(2) With intent to cause physical injury to another  
2 person, he or she causes physical injury to any person by  
3 means of a deadly weapon or a dangerous instrument.

4           "(3) He or she recklessly causes serious physical  
5 injury to another person by means of a deadly weapon or a  
6 dangerous instrument.

7           "~~(4) With intent to prevent a peace officer, as~~  
8 ~~defined in Section 36-21-60, a detention or correctional~~  
9 ~~officer at any municipal or county jail or state penitentiary,~~  
10 ~~emergency medical personnel, cause physical injury to a~~  
11 ~~utility worker, or a firefighter from performing a lawful~~  
12 ~~duty, he or she intends to cause physical injury and he or she~~  
13 ~~causes physical injury to any person. For the purpose of this~~  
14 ~~subdivision, a person who is a peace officer who is employed~~  
15 ~~or under contract while off duty by a private or public entity~~  
16 ~~is a peace officer performing a lawful duty when the person is~~  
17 ~~working in his or her approved uniform while off duty with the~~  
18 ~~approval of his or her employing law enforcement agency.~~  
19 ~~Provided, however, that nothing contained herein shall be~~  
20 ~~deemed or construed as amending, modifying, or extending the~~  
21 ~~classification of a peace officer as off-duty for workers~~  
22 ~~compensation purposes or any other benefits to which a peace~~  
23 ~~officer may otherwise be entitled to under law when considered~~  
24 ~~on-duty. Additionally, nothing contained herein shall be~~  
25 ~~deemed or construed as amending, modifying, or extending the~~  
26 ~~tort liability of any municipality as a result of any action~~  
27 ~~or inaction on the part of an off-duty police officer. For the~~



1 purposes of this subdivision, utility worker means any person  
2 who is employed by an entity that owns, operates, leases, or  
3 controls any plant, property, or facility for the generation,  
4 transmission, manufacture, production, supply, distribution,  
5 sale, storage, conveyance, delivery, or furnishing to or for  
6 the public of electricity, natural or manufactured gas, water,  
7 steam, sewage, or telephone service, including two or more  
8 utilities rendering joint service.

9           "(5) With intent to cause physical injury to a  
10 teacher or to an employee of a public educational institution  
11 during or as a result of the performance of his or her duty,  
12 he or she causes physical injury to any person.

13           "(6) With intent to cause physical injury to a  
14 health care worker, including a nurse, physician, technician,  
15 or any other person employed by or practicing at a hospital as  
16 defined in Section 22-21-20; a county or district health  
17 department; a long-term care facility; or a physician's  
18 office, clinic, or outpatient treatment facility during the  
19 course of or as a result of the performance of the duties of  
20 the health care worker or other person employed by or  
21 practicing at the hospital; the county or district health  
22 department; any health care facility owned or operated by the  
23 State of Alabama; the long-term care facility; or the  
24 physician's office, clinic, or outpatient treatment facility;  
25 he or she causes physical injury to any person. This  
26 subdivision shall not apply to assaults by patients who are

1 impaired by medication or to assaults on home health care  
2 workers while they are in private residences.

3 "(7) For a purpose other than lawful medical or  
4 therapeutic treatment, he or she intentionally causes stupor,  
5 unconsciousness, or other physical or mental impairment, or  
6 injury to another person by administering to him or her,  
7 without his or her consent, a drug, substance, or preparation  
8 capable of producing the intended harm.

9 "(b) Assault in the second degree is a Class C  
10 felony.

11 ~~"(c) For the purposes of this section, utility  
12 worker means any person who is employed by an entity that  
13 owns, operates, leases, or controls any plant, property, or  
14 facility for the generation, transmission, manufacture,  
15 production, supply, distribution, sale, storage, conveyance,  
16 delivery, or furnishing to or for the public of electricity,  
17 natural or manufactured gas, water, steam, sewage, or  
18 telephone service, including two or more utilities rendering  
19 joint service.~~

20 Section 5. Sections 13A-11-1, 13A-11-3, and  
21 13A-11-4, Code of Alabama 1975, are amended to read as  
22 follows:

23 "§13A-11-1.

24 "The following definitions apply in this article:

25 "(1) OBSTRUCT. To "obstruct" means to render  
26 impassable without unreasonable inconvenience or hazard. A

1 gathering of persons to hear a person speak or otherwise  
2 communicate does not constitute an obstruction.

3 "(2) PUBLIC PLACE. A place to which the public or a  
4 substantial group of persons has access, and includes but is  
5 not limited to highways, transportation facilities, schools,  
6 places of amusement, parks, playgrounds and hallways, lobbies  
7 and other portions of apartment houses not constituting rooms  
8 or apartments designed for actual residence; provided, that no  
9 private dwelling and no place engaged for a private gathering  
10 is included within the meaning of public place with respect to  
11 any person specifically invited therein.

12 "(3) RIOT. The assemblage of five or more persons  
13 resulting in conduct which does either of the following:

14 "a. Creates an immediate danger of damage to  
15 property or injury to persons.

16 "b. Substantially obstructs law enforcement or other  
17 governmental functions or services.

18 "~~(3)~~ (4) TRANSPORTATION FACILITY. Any conveyance,  
19 premises or place used for or in connection with public  
20 passenger transportation, whether by air, railroad, motor  
21 vehicle or any other method. It includes aircraft, water  
22 craft, railroad cars, buses and air, boat, railroad and bus  
23 terminals and stations and all appurtenances thereto.

24 "§13A-11-3.

25 "(a) A person commits the crime of riot if, after  
26 receiving an order to disperse by a law enforcement officer or  
27 when in violation of a curfew, the person, with five or more

1 ~~other persons, he wrongfully engages in tumultuous and violent~~  
2 ~~conduct and thereby intentionally or recklessly causes or~~  
3 ~~creates a grave risk of public terror or alarm~~ intentionally  
4 participates in a riot.

5 "(b) Riot is a Class A misdemeanor. The defendant  
6 shall serve a minimum term of imprisonment of 30 days without  
7 consideration of probation, parole, good time credits, or any  
8 other reduction in time.

9 "(c) In addition to any fine, the defendant shall  
10 pay restitution, including but not limited to all of the  
11 following:

12 "(1) Costs of any and all medical treatment by any  
13 victim of the violation, including physical and occupational  
14 therapy and rehabilitation.

15 "(2) Cost of any damage to property, or full value  
16 of property if destroyed or damaged beyond repair.

17 "(3) Any and all other losses suffered by any victim  
18 as a result of a violation of this section.

19 "§13A-11-4.

20 "(a) A person commits the crime of inciting to riot  
21 if he or she commands, solicits, incites, funds, or urges, or  
22 otherwise aids or abets another person to engage in ~~tumultuous~~  
23 ~~and violent conduct of a kind likely to cause or create a~~  
24 ~~grave risk of public terror or alarm~~ a riot or aggravated  
25 riot.

26 "(b) Inciting to riot is a Class A misdemeanor. The  
27 defendant shall serve a minimum term of imprisonment of 30

1 days without consideration of probation, parole, good time  
2 credits, or any other reduction in time.

3 "(c) In addition to any fine, the defendant shall  
4 pay restitution, including but not limited to all of the  
5 following:

6 "(1) Costs of any and all medical treatment of or  
7 for any victim of the violation, including physical and  
8 occupational therapy and rehabilitation.

9 "(2) Cost of any damage to property, or full value  
10 of property if destroyed or damaged beyond repair.

11 "(3) Any and all other losses suffered by any victim  
12 as a result of a violation of this section."

13 Section 6. Sections 13A-11-3.1 and 13A-11-5.1 are  
14 added to Article 1 of Chapter 11 of Title 13A of the Code of  
15 Alabama 1975, to read as follows:

16 §13A-11-3.1.

17 (a) A person commits the crime of aggravated riot  
18 if, after receiving an order to disperse by a law enforcement  
19 officer or when in violation of a curfew, the person  
20 intentionally participates in a riot, the participants of  
21 which collectively cause damage to property in an amount which  
22 exceeds two thousand five hundred dollars (\$2,500) or cause  
23 physical injury to any one or more persons.

24 (b) Aggravated riot is a Class C felony. The  
25 defendant shall serve a minimum term of imprisonment of three  
26 months without consideration of probation, parole, good time  
27 credits, or any other reduction in time.

1 (c) In addition to any fine, the defendant shall pay  
2 restitution, including but not limited to all of the  
3 following:

4 (1) Costs of any and all medical treatment by any  
5 victim of the violation, including physical and occupational  
6 therapy and rehabilitation.

7 (2) Cost of any damage to property, or full value of  
8 property if destroyed or damaged beyond repair.

9 (3) Any and all other losses suffered by any victim  
10 as a result of a violation of this section.

11 §13A-11-5.1.

12 (a) (1) A person commits the crime of unlawful  
13 traffic interference if the person intentionally or recklessly  
14 impedes vehicular traffic by walking, standing, sitting,  
15 kneeling, lying, or placing an object in such a manner as to  
16 block passage of a vehicle on a public highway or interstate  
17 highway.

18 (2) This section does not apply to any of the  
19 following:

20 a. A person who, by permit or otherwise, has  
21 permission to operate in the public roadway from an  
22 appropriate government authority, including a law enforcement  
23 officer.

24 b. A person who operates in the roadway to direct  
25 traffic away from a hazardous road condition, an obstacle, or  
26 the scene of an accident.

1           (b) (1) Except as provided in subdivision (2),  
2 unlawful traffic interference is a Class A misdemeanor.

3           (2) On a second or subsequent violation under  
4 subdivision (1), or if a violation of this section resulted in  
5 physical injury or damage to property, the person is guilty of  
6 a Class C felony.

7           (c) A defendant convicted of violating this section  
8 shall serve a minimum term of imprisonment of 30 days without  
9 consideration of probation, parole, good time credits, or any  
10 other reduction in time.

11           (d) In addition to any fine, the defendant shall pay  
12 restitution, including but not limited to all of the  
13 following:

14           (1) Costs of any and all medical treatment of or for  
15 any victim of the violation, including physical and  
16 occupational therapy and rehabilitation.

17           (2) Cost of any damage to property, or full value of  
18 property if destroyed or damaged beyond repair.

19           (3) Any and all other losses suffered by any victim  
20 as a result of a violation of this section.

21           Section 7. Section 15-10-3, Code of Alabama 1975, is  
22 amended to read as follows:

23           "§15-10-3.

24           "(a) An officer may arrest a person without a  
25 warrant, on any day and at any time in any of the following  
26 instances:

1           "(1) If a public offense has been committed or a  
2 breach of the peace threatened in the presence of the officer.

3           "(2) When a felony has been committed, though not in  
4 the presence of the officer, by the person arrested.

5           "(3) When a felony has been committed and the  
6 officer has probable cause to believe that the person arrested  
7 committed the felony.

8           "(4) When the officer has probable cause to believe  
9 that the person arrested has committed a felony, although it  
10 may afterwards appear that a felony had not in fact been  
11 committed.

12           "(5) When a charge has been made, upon probable  
13 cause, that the person arrested has committed a felony.

14           "(6) When the officer has actual knowledge that a  
15 warrant for the person's arrest for the commission of a felony  
16 or misdemeanor has been issued, provided the warrant was  
17 issued in accordance with this chapter. However, upon request  
18 the officer shall show the warrant to the arrested person as  
19 soon as possible. If the officer does not have the warrant in  
20 his or her possession at the time of arrest the officer shall  
21 inform the defendant of the offense charged and of the fact  
22 that a warrant has been issued.

23           "(7) When the officer has probable cause to believe  
24 that a felony or misdemeanor has been committed by the person  
25 arrested in violation of a protection order, including a  
26 domestic violence protection order or an elder abuse  
27 protection order, issued by a court of competent jurisdiction.



1           "(8) When an offense involves a crime of domestic  
2 violence, including domestic violence in the first degree,  
3 pursuant to Section 13A-6-130, domestic violence in the second  
4 degree, pursuant to Section 13A-6-131, domestic violence in  
5 the third degree, pursuant to Section 13A-6-132, interference  
6 with a domestic violence emergency call, in violation of  
7 Section 13A-6-137, ~~or~~ domestic violence by strangulation or  
8 suffocation, pursuant to Section 13A-6-138, or violation of a  
9 domestic violence protection order, pursuant to Section  
10 13A-6-142, or the offense involves the crime of elder abuse as  
11 defined in Section 38-9F-3, including elder abuse in the first  
12 degree pursuant to Section 13A-6-192, elder abuse in the  
13 second degree pursuant to Section 13A-6-193, elder abuse in  
14 the third degree pursuant to Section 13A-6-194, or a violation  
15 of an Elder Abuse Protection Order pursuant to Section  
16 38-9F-3, and the arrest is based on probable cause.

17           "(9) When an offense involves assault against a  
18 first responder in the first degree, as provided under Section  
19 2 of the act adding this amendatory language; assault against  
20 a first responder in the second degree, as provided under  
21 Section 3 of the act adding this amendatory language; riot, as  
22 provided under Section 13A-11-3; inciting to riot, as provided  
23 under Section 13A-11-4; aggravated riot, as provided under  
24 Section 13A-11-3.1; or unlawful traffic interference, as  
25 provided under Section 13A-11-5.1.

26           "(b) When a law enforcement officer investigates an  
27 allegation of domestic violence or elder abuse, whether or not

1 an arrest is made, the officer shall make a written report of  
2 the alleged incident, including a statement of the complaint,  
3 and the disposition of the case.

4 "(c) If the defendant is arrested under this section  
5 for committing ~~an act of domestic violence, including~~ domestic  
6 violence in the first degree, pursuant to Section 13A-6-130,  
7 domestic violence in the second degree, pursuant to Section  
8 13A-6-131, domestic violence in the third degree, pursuant to  
9 Section 13A-6-132, interference with a domestic violence  
10 emergency call, in violation of Section 13A-6-137, or domestic  
11 violence by strangulation or suffocation, pursuant to Section  
12 13A-6-138, ~~in a~~ violation of a domestic violence protection  
13 order, pursuant to Section 13A-6-142, or an act of elder abuse  
14 ~~in violation of an elder abuse protection order~~ elder abuse in  
15 the first degree pursuant to Section 13A-6-192, elder abuse in  
16 the second degree pursuant to Section 13A-6-193, elder abuse  
17 in the third degree pursuant to Section 13A-6-194, or a  
18 violation of an Elder Abuse Protection Order pursuant to  
19 Section 38-9F-3, the defendant shall be held in custody until  
20 brought before the court within 48 hours for the purpose of  
21 enforcing the protection order and for consideration of bail  
22 in accordance with Section 15-13-190 and the applicable rules  
23 of criminal procedure, pending a hearing. If the defendant is  
24 not brought before the court within 48 hours, the defendant  
25 shall be subject to bail according to the Alabama Rules of  
26 Criminal Procedure.

1           "(d) If the defendant is arrested for committing an  
2 act of assault against a first responder in the first degree  
3 as provided under Section 2 of the act adding this amendatory  
4 language, assault against a first responder in the second  
5 degree as provided under Section 3 of the act adding this  
6 amendatory language, riot as provided under Section 13A-11-3,  
7 inciting to riot as provided under Section 13A-11-4,  
8 aggravated riot, as provided under Section 13A-11-3.1, or  
9 unlawful traffic interference as provided under Section  
10 13A-11-5.1, the defendant shall be held in custody until  
11 brought before the court within 24 hours for consideration of  
12 bail in accordance with Section 15-13-190 and the applicable  
13 rules of criminal procedure, pending a hearing. If the  
14 defendant is not brought before the court within 24 hours, the  
15 defendant shall be subject to bail according to the Alabama  
16 Rules of Criminal Procedure."

17           Section 8. (a) (1) As used in this section, the term  
18 defunded jurisdiction means a political subdivision of the  
19 state that is certified by the Attorney General as having  
20 abolished or disbanded, or substantially abolished or  
21 disbanded, the law enforcement agency of the political  
22 subdivision without an intention to immediately reconstitute  
23 the agency.

24           (2) A rebuttable presumption arises that a political  
25 subdivision has substantially abolished or disbanded the law  
26 enforcement agency of the political subdivision if the  
27 political subdivision reduces by 50 percent or more the budget

1 of the law enforcement agency of the political subdivision  
2 without reallocating a substantial majority of that money to  
3 another community policing program.

4 (3) A political subdivision may rebut the  
5 presumption by proving by clear and convincing evidence that  
6 the budget reduction was a fiscally appropriate decision as a  
7 result of a decrease in revenues in the previous fiscal year,  
8 or by proving that, the budget reduction notwithstanding, the  
9 law enforcement agency of the political subdivision is  
10 sufficiently funded to provide law enforcement services to the  
11 political subdivision.

12 (b) A defunded jurisdiction is not eligible for and  
13 may not receive any of the following:

14 (1) A state grant, gift, endowment, or any other sum  
15 of money or aid from the State of Alabama or a department,  
16 board, or agency thereof.

17 (2) Any allocation of state revenues directly shared  
18 with local governing bodies not otherwise guaranteed by the  
19 Constitution of Alabama of 1901, including, but not limited  
20 to, revenue from the Rebuild Alabama Act, Act 2019-2 (1st  
21 Special Session); and the net profits derived from the  
22 proceeds of the Alabama liquor stores under Section 28-3-74,  
23 Code of Alabama 1975.

24 (c) Upon certification by the Attorney General that  
25 a political subdivision of the state is a defunded  
26 jurisdiction, the state Comptroller shall withhold the  
27 distribution of the revenue described under subsection (b) to

1       which the defunded jurisdiction would otherwise be entitled  
2       into a special fund within the State Treasury until the  
3       Attorney General certifies that the political subdivision has  
4       restored funding to the political subdivision's law  
5       enforcement agency.

6               (d) This section does not apply to a political  
7       subdivision of the state which, as of the effective date of  
8       this act, employs less than 20 full-time law enforcement  
9       officers.

10              Section 9. Although this bill would have as its  
11       purpose or effect the requirement of a new or increased  
12       expenditure of local funds, the bill is excluded from further  
13       requirements and application under Amendment 621, as amended  
14       by Amendment 890, now appearing as Section 111.05 of the  
15       Official Recompilation of the Constitution of Alabama of 1901,  
16       as amended, because the bill defines a new crime or amends the  
17       definition of an existing crime.

18              Section 10. This act shall become effective on the  
19       first day of the third month following its passage and  
20       approval by the Governor, or its otherwise becoming law.