

1 HB368  
2 207810-1  
3 By Representative Sorrell  
4 RFD: Public Safety and Homeland Security  
5 First Read: 09-FEB-21

8 SYNOPSIS: This bill would prohibit individuals from  
9 transporting cats or dogs on 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 a  
11 cat or dog on the open platform of the flatbed truck on a  
12 public highway; and in connection therewith would have as its  
13 purpose or effect the requirement of a new or increased  
14 expenditure of local funds within the meaning of Amendment 621  
15 of the Constitution of Alabama of 1901, now appearing as  
16 Section 111.05 of the Official Recompilation of the  
17 Constitution of Alabama of 1901, as amended.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

1           (b) An individual operating a flatbed truck may not  
2 transport a cat or dog on the open platform of the truck on a  
3 public highway unless the cat or dog is secured in a cage  
4 which will prevent the cat or dog from falling, being thrown,  
5 or jumping from the flatbed truck.

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

11           (d) Nothing in this section shall apply to  
12 individuals operating a flatbed truck and crossing a public  
13 highway in order to continue on a county or municipal road.

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

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