

1 HB16  
2 133445-3  
3 By Representative Holmes (N & P)  
4 RFD: Montgomery County Legislation  
5 First Read: 07-FEB-12  
6 PFD: 09/15/2011

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to the City of Montgomery in Montgomery  
14 County, Alabama; to prohibit a person, while in a public place  
15 including streets, sidewalks, or buses from wearing pants that  
16 are more than three inches below the hips of the person that  
17 cause the display or exposure of the undergarment of the  
18 person; to provide for civil fines or community service; to  
19 provide that a violation of this act may not be deemed a  
20 criminal offense; and to provide that a person may not be  
21 subjected to arrest, imprisonment, or other criminal penalty  
22 for violation of this act.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. (a) (1) A person, while in a public place  
25 including streets, sidewalks, or buses of the City of  
26 Montgomery, Alabama, shall be properly attired whenever he or  
27 she appears in public view.

1           (2) Pants worn by any person, regardless of age,  
2 should be sized appropriately and secured to prevent the pants  
3 from falling three inches below his or her hips causing  
4 exposure of the undergarment of the person.

5           (b) (1) If a juvenile is determined to be in  
6 violation of this section a citation shall be issued to the  
7 juvenile. He or she shall be subject to a civil penalty of not  
8 less than twenty-five dollars (\$25) and not more than one  
9 hundred dollars (\$100) on each offense. The court cost shall  
10 be waived in each case. In lieu of the civil penalty, the  
11 court may order the juvenile to participate in 10 to 20 hours  
12 of court-approved community service.

13           (2) If an adult is determined to be in violation of  
14 this section, a citation shall be issued to the person, and  
15 the person shall be subject to a civil penalty of not less  
16 than twenty-five dollars (\$25) and not more than one hundred  
17 fifty dollars (\$150) on each offense. The court cost shall be  
18 waived in each case. In lieu of the civil penalty, the court  
19 may order the person to participate in 10 to 40 hours of  
20 court-approved community service.

21           (c) Violators of any provision of this section shall  
22 be issued a citation and subject to the civil penalties  
23 described above. To this end, a violation of this act shall  
24 not be deemed a criminal offense; thus, violators shall not be  
25 subject to arrest, imprisonment, or other criminal penalty for  
26 violation of this act.

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