

**HB428 ENROLLED**



1 HB428  
2 BG3FJJ4-2  
3 By Representative Rehm (N & P)  
4 RFD: Local Legislation  
5 First Read: 09-Apr-24



## HB428 Enrolled

1 Enrolled, An Act,

2 Relating to Henry County; to authorize the Henry County  
3 Commission to require permits prior to any person or entity  
4 conducting outside events for which an admission fee is  
5 charged; to require applications and a permit fee; to specify  
6 certain requirements on the application; and to provide for  
7 ordinances by the county for the commission authorizing the  
8 closure of the events and the assessment of civil fines and  
9 due process hearings.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. This act shall only apply in the  
12 unincorporated area of Henry County outside of the corporate  
13 limits of any organized and operating municipality.

14 Section 2. (a) Any person or entity that sponsors or  
15 plans to hold an outside event in the unincorporated area of  
16 the county for which an admission fee is charged shall obtain  
17 a permit from the Henry County Commission. The county  
18 commission, by ordinance, may specify the minimum requirements  
19 for a permit, including, but not limited to, security,  
20 parking, public bathroom facilities, times of operation, or  
21 other requirements to provide for the health and safety of  
22 participants and the surrounding public. The person or entity  
23 shall file an application for a permit not less than two  
24 business days prior to the event which shall be accompanied by  
25 a permit fee set by the county commission not to exceed two  
26 hundred fifty dollars (\$250).

27 (b) The contents of an application for a permit shall  
28 be determined by the county commission. The application shall



## HB428 Enrolled

29 be signed by the sponsor of the event and the property owner  
30 where the event will be held. The application, in addition to  
31 any other information required, shall contain all of the  
32 following information:

33 (1) The security that will be provided at the event.

34 (2) The bathroom facilities that will be provided to  
35 participants.

36 (3) The parking that will be available for  
37 participants. The sponsor of the event shall acknowledge that  
38 parking will not be permitted on the public right-of-way and  
39 that motor vehicles may be towed if parked on the public  
40 right-of-way.

41 (c) The applicants for a permit by their signature  
42 shall agree to comply with the requirements for the permit and  
43 the information stated on the application.

44 (d) Any event that violates the conditions of the  
45 permit or that creates a public nuisance for participants or  
46 the surrounding property owners may be ordered by law  
47 enforcement to be closed and dispersed.

48 (e) The Henry County Commission, by ordinance, may  
49 provide that any person or entity holding an event without a  
50 valid permit, or any sponsor or entity conducting an event  
51 that creates a public nuisance or that fails to close the  
52 event upon order by law enforcement, may be subject to a civil  
53 fine of not more than two hundred fifty dollars (\$250) to be  
54 assessed as provided in the ordinance. The amount of the civil  
55 fine shall be increased to five hundred dollars (\$500) for a  
56 second violation and one-thousand dollars (\$1,000) for a third



## HB428 Enrolled

57 or subsequent violation by the same person or entity. Any law  
58 enforcement officer may issue a civil citation alleging a  
59 violation of the ordinance. The ordinance shall provide that a  
60 person or entity charged with a violation may pay a civil fine  
61 to the county commission or request a due process hearing  
62 before the county commission or its hearing officer. The  
63 county commission shall make the final decision on the alleged  
64 violation. The county commission's finding and assessment of a  
65 civil fine shall be final within 30 days thereof unless  
66 appealed to the Circuit Court of Henry County based on the  
67 administrative record of the hearing. Any fine due shall be a  
68 debt owed to Henry County and shall be enforceable by civil  
69 action in the same manner as any other debt. The person or  
70 entity owing the fine shall be liable for all costs, including  
71 court costs and attorney fees, if an action is taken in court  
72 to collect the fine.

73           Section 3. This act shall not apply to events such as  
74 weddings and church functions that do not charge an entry fee  
75 or paid ticket to participate.

76           Section 4. This act shall become effective on June 1,  
77 2024.



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 16-Apr-24.

John Treadwell  
Clerk

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Senate **02-May-24** Passed

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