

HB56 INTRODUCED



1 HB56

2 BE6S444-1

3 By Representatives Bolton, Starnes, Pettus, Bedsole, Brinyark

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5 RFD: Public Safety and Homeland Security

6 First Read: 06-Feb-24

7 PFD: 12-Jan-24



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SYNOPSIS:

Under current law, it is a crime to give a false name or address to a law enforcement officer in the course of the officer's official duties with the intent to mislead the officer.

This bill would also make it a crime to give a false date of birth to a law enforcement officer in the course of the officer's official duties with the intent to mislead the officer.

Under current law, a law enforcement officer may stop an individual the officer suspects is committing, has committed, or is about to commit a felony or other public offense and demand the individual's name, address, and an explanation of the individual's actions.

This bill would also authorize a law enforcement officer to demand an individual's date of birth if the officer suspects the individual is committing, has committed, or is about to commit a felony or other public offense.

Section 111.05 of the Constitution of Alabama of 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3



HB56 INTRODUCED

29 vote unless: it comes within one of a number of
30 specified exceptions; it is approved by the affected
31 entity; or the Legislature appropriates funds, or
32 provides a local source of revenue, to the entity for
33 the purpose.

34 The purpose or effect of this bill would be to
35 require a new or increased expenditure of local funds
36 within the meaning of the section. However, the bill
37 does not require approval of a local governmental
38 entity or enactment by a 2/3 vote to become effective
39 because it comes within one of the specified exceptions
40 contained in the section.

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A BILL

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TO BE ENTITLED

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AN ACT

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47 Relating to crimes and offenses; to amend Sections
48 13A-9-18.1 and 15-5-30, Code of Alabama 1975; to further
49 provide for the information a law enforcement officer can
50 demand in the course of the officer's official duties; and in
51 connection therewith would have as its purpose or effect the
52 requirement of a new or increased expenditure of local funds
53 within the meaning of Section 111.05 of the Constitution of
54 Alabama of 2022.

55 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

56 Section 1. Sections 13A-9-18.1 and 15-5-30, Code of



HB56 INTRODUCED

57 Alabama 1975, are amended to read as follows:

58 "§13A-9-18.1

59 (a) A person commits the crime of giving ~~a false name~~
60 ~~or address~~ information to a law enforcement officer if the
61 person gives a false name ~~or,~~ address, or date of birth to a
62 law enforcement officer in the course of the officer's
63 official duties with intent to mislead the officer.

64 (b) Giving ~~a false name or address~~ information to a law
65 enforcement officer is a Class A misdemeanor."

66 "§15-5-30

67 A ~~sheriff or other officer acting as sheriff, his~~
68 ~~deputy or any constable, acting within their respective~~
69 ~~counties, any marshal, deputy marshal or policeman of any~~
70 ~~incorporated city or town within the limits of the county or~~
71 ~~any highway patrolman or state trooper~~ law enforcement officer
72 may stop any ~~person abroad~~ individual in a public place whom
73 ~~he~~ the officer reasonably suspects is committing, has
74 committed, or is about to commit a felony or other public
75 offense and may demand of ~~him~~ the individual his or her name,
76 address, date of birth, and an explanation of his or her
77 actions."

78 Section 2. Although this bill would have as its purpose
79 or effect the requirement of a new or increased expenditure of
80 local funds, the bill is excluded from further requirements
81 and application under Section 111.05 of the Constitution of
82 Alabama of 2022, because the bill defines a new crime or
83 amends the definition of an existing crime.

84 Section 3. This act shall become effective on October



HB56 INTRODUCED

85 1, 2024.