

1 SB207  
2 218031-3  
3 By Senators Singleton and Orr  
4 RFD: Judiciary  
5 First Read: 10-FEB-22

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to crimes and offenses; to prohibit the  
12 operation of a vehicle that contains a false or secret  
13 compartment; to provide criminal penalties for a violation;  
14 and in connection therewith would have as its purpose or  
15 effect the requirement of a new or increased expenditure of  
16 local funds within the meaning of Amendment 621 of the  
17 Constitution of Alabama of 1901, as amended by Amendment 890,  
18 now appearing as Section 111.05 of the Official Recompilation  
19 of the Constitution of Alabama of 1901, as amended.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. (a) (1) It is unlawful for any person to  
22 operate any vehicle with knowledge that the vehicle contains a  
23 false or secret compartment.

24 (2) It is unlawful for any person to install,  
25 create, build, or fabricate in any vehicle a false or secret  
26 compartment.

1           (3) It is unlawful for any person to sell, trade, or  
2 otherwise dispose of a vehicle with knowledge that the vehicle  
3 is in violation of this section.

4           (b) (1) As used in this section, the term "false or  
5 secret compartment" means any enclosure that is integrated  
6 into or attached to a vehicle, the purpose of which enclosure  
7 is to conceal, hide, or prevent discovery of any one or more  
8 of the following by a law enforcement officer:

9           a. A person concealed for an unlawful purpose.

10           b. A controlled substance possessed in violation of  
11 Article 5, Chapter 12, Title 13A, Code of Alabama 1975.

12           c. Contraband, as defined under Section 20-2-93,  
13 Code of Alabama 1975.

14           (2) The term includes, but is not limited to, false,  
15 altered, or modified fuel tanks; original factory equipment on  
16 a vehicle that has been modified; and any compartment, space,  
17 or box that is added or attached to existing compartments,  
18 spaces, or boxes of the vehicle.

19           (3) The term does not include compartments that  
20 existed in or on the motor vehicle at the time of  
21 manufacturing, or accessories offered by the motor vehicle  
22 manufacturer, distributor, or licensed dealer.

23           (c) A legal inference of fact may be inferred that  
24 the operator of a vehicle seized in violation of this section  
25 had knowledge of a false or secret compartment on the vehicle  
26 if the vehicle has a false or secret compartment to which any  
27 of the following apply:

1           (1) The compartment is concealing a person for any  
2 unlawful purpose, or there is evidence of the previous  
3 concealment of a person for an unlawful purpose.

4           (2) The compartment is concealing a controlled  
5 substance possessed in violation of Article 5, Chapter 12,  
6 Title 13A, Code of Alabama 1975, or there is evidence of the  
7 previous unlawful possession of controlled substances.

8           (3) The compartment is concealing contraband, as  
9 defined under Section 20-2-93, Code of Alabama 1975, or there  
10 is evidence of the previous concealment of contraband.

11           (d) Any vehicle seized under this section shall be  
12 deemed contraband and may be forfeited pursuant to Section  
13 20-2-93, Code of Alabama 1975.

14           (e) (1) Except as provided in subdivision (2), any  
15 person who violates this section shall be guilty of a Class A  
16 misdemeanor.

17           (2) A person who violates subdivision (c) (1) shall  
18 be guilty of a Class B felony.

19           (3) Any person who violates this section shall be  
20 required to pay a fine of not more than sixty thousand dollars  
21 (\$60,000).

22           Section 2. Although this bill would have as its  
23 purpose or effect the requirement of a new or increased  
24 expenditure of local funds, the bill is excluded from further  
25 requirements and application under Amendment 621, as amended  
26 by Amendment 890, now appearing as Section 111.05 of the  
27 Official Recompilation of the Constitution of Alabama of 1901,

1 as amended, because the bill defines a new crime or amends the  
2 definition of an existing crime.

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

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Senate

Read for the first time and referred to the Senate  
committee on Judiciary..... 10-FEB-22

Read for the second time and placed on the calen-  
dar with 1 substitute and..... 09-MAR-22

Read for the third time and passed as amended .... 15-MAR-22

Yeas 26  
Nays 0

Patrick Harris,  
Secretary.