

1 SB310  
2 136782-2  
3 By Senator Brooks  
4 RFD: Judiciary  
5 First Read: 14-FEB-12

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

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11 To establish the crime of home invasion; to provide  
12 criminal penalties; and in connection therewith would have as  
13 its 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. This act shall be known as The Alabama  
20 Home Invasion Act of 2012.

21 Section 2. (a) Home invasion is the unauthorized  
22 entering, either by force, with or without a weapon, or by  
23 coercion or subterfuge to gain entry, of any occupied dwelling  
24 with the intent to use force or violence upon another person  
25 or to commit a robbery therein.

26 (b) This section does not apply to a law enforcement  
27 officer acting within the line and scope of official duties.

1                   (c) A person who violates this section is guilty of  
2 home invasion. Home invasion is a Class A felony.

3                   Section 3. Although this bill would have as its  
4 purpose or effect the requirement of a new or increased  
5 expenditure of local funds, the bill is excluded from further  
6 requirements and application under Amendment 621, now  
7 appearing as Section 111.05 of the Official Recompilation of  
8 the Constitution of Alabama of 1901, as amended, because the  
9 bill defines a new crime or amends the definition of an  
10 existing crime.

11                   Section 4. This act shall become effective on the  
12 first day of the third month following its passage and  
13 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..... 14-FEB-12

Read for the second time and placed on the calen-  
dar 1 amendment..... 22-MAR-12

Read for the third time and passed as amended .... 03-MAY-12

Yeas 25  
Nays 3

Patrick Harris  
Secretary