

1 SB44  
2 171053-1  
3 By Senators Hightower, Pittman, Williams, Bussman, Livingston,  
4 Glover, Melson, Stutts and Orr  
5 RFD: Finance and Taxation General Fund  
6 First Read: 03-AUG-15

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SYNOPSIS:                This bill would prohibit a person, entity, or association from offering or accepting money or anything of value for an aborted fetus or any portion of an aborted fetus and provide criminal penalties for any violation.

                          Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, 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 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

                          The purpose or effect of this bill would be to require a new or increased expenditure of local

1 funds within the meaning of the amendment. However,  
2 the bill does not require approval of a local  
3 governmental entity or enactment by a 2/3 vote to  
4 become effective because it comes within one of the  
5 specified exceptions contained in the amendment.

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

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11 Relating to aborted fetuses; to prohibit a person,  
12 entity, or association from offering or accepting money or  
13 anything of value for an aborted fetus; any portion of an  
14 aborted fetus and provide criminal penalties for any  
15 violation; and in connection therewith would have as its  
16 purpose or effect the requirement of a new or increased  
17 expenditure of local funds within the meaning of Amendment 621  
18 of the Constitution of Alabama of 1901, now appearing as  
19 Section 111.05 of the Official Recompilation of the  
20 Constitution of Alabama of 1901, as amended.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) No person, entity, or association  
23 shall offer money or anything of value for an aborted fetus or  
24 any portion of an aborted fetus; nor shall any person, entity,  
25 or association accept any money or anything of value for an  
26 aborted fetus or any portion of an aborted fetus.

1                   (b) A violation of this section is punishable as a  
2 Class B felony.

3                   Section 2. 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 3. This act shall become effective  
12 immediately following its passage and approval by the  
13 Governor, or its otherwise becoming law.