

1 SB441  
2 150753-1  
3 By Senators Sanford, Beason, Glover, and Fielding  
4 RFD: Education  
5 First Read: 11-APR-13

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the age of majority in  
9 the State of Alabama is 19 years of age. Under  
10 existing court precedent, the Alabama Supreme Court  
11 in *Ex parte Bayliss*, 550 So.2d 896 (Ala. 1989)  
12 ruled that the court, in a child support case  
13 matter, has the power to award post-minority  
14 support for the purpose of paying educational  
15 expenses, including expenses related to  
16 postsecondary education.

17 This bill would prohibit a court from  
18 ordering a person to provide post-minority  
19 education support to another person who has reached  
20 the age of majority unless the person is mentally  
21 or physically disabled.

22  
23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
26

1           To amend Section 26-1-1, Code of Alabama 1975; to  
2 prohibit a court from ordering certain persons to provide for  
3 the post-minority education support of another person who has  
4 reached the age of majority.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6           Section 1. Section 26-1-1, Code of Alabama 1975, is  
7 amended to read as follows:

8           "§26-1-1.

9           "(a) Any person in this state, at the arrival at the  
10 age of 19 years, shall be relieved of his or her disabilities  
11 of minority and thereafter shall have the same legal rights  
12 and abilities as persons over 21 years of age. No law of this  
13 state shall discriminate for or against any person between and  
14 including the ages of 19 and 21 years solely on the basis of  
15 age.

16           "(b) This section shall also apply to any person who  
17 arrived at the age of 19 and 20 years before July 22, 1975,  
18 but shall not abrogate any defense or abridge any remedy  
19 available to him or her prior to such date.

20           "(c) All laws or parts of laws which read "under the  
21 age of 21 years" hereafter shall read "under the age of 19  
22 years." Wherever the words "under the age of 21 years" appear  
23 in any law limiting the legal rights and abilities of persons  
24 under such age, such words shall be construed to mean under  
25 the age of 19 years.

26           "(d) Notwithstanding the provisions of subsection  
27 (c) of this section, nothing in this section shall be deemed

1 to repeal any provision of Chapter 19 of Title 15 of this  
2 code.

3 "(e) Notwithstanding the provisions of subsection  
4 (a), an honorably discharged veteran who is under the age of  
5 19 shall be permitted to enter into a contract for the  
6 purchase of a motor vehicle.

7 "(f) No law, rule, or court order shall compel,  
8 either directly or indirectly, any person to provide  
9 post-minority education support, including, but not limited  
10 to, support for postsecondary education, to another person who  
11 has reached the age of majority, or otherwise has become  
12 self-sufficient or completed the 12th grade, whichever occurs  
13 first, unless the child is mentally or physically disabled at  
14 the age of 19 years."

15 Section 2. This act shall become effective on the  
16 first day of the third month following its passage and  
17 approval by the Governor, or its otherwise becoming law.