

ACT 2013 - 347

1 HB105
2 147746-3
3 By Representative Baker
4 RFD: Education Policy
5 First Read: 05-FEB-13
6 PFD: 02/01/2013



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ENROLLED, An Act,

To establish the crime of trespass on a school bus in the first degree; to provide penalties; and in connection therewith to have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of 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.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Charles "Chuck" Poland, Jr., Act.

Section 2. (a) A person commits the crime of trespass on a school bus in the first degree if he or she is found guilty of doing any of the following:

(1) ~~Willfully~~ Intentionally demolishing, destroying, defacing, injuring, burning, or damaging any public school bus.

(2) Entering a public school bus while the door is open to load or unload students without a lawful purpose, while at a railroad grade crossing, or after being forbidden from doing so by the authorized school bus driver in charge of the bus, or upon demand of a principal of a school to which

1 the bus is assigned or other duly authorized school system official.

2 (3) As an occupant of a public school bus, refusing
3 to leave the bus on demand of the authorized school bus driver
4 in charge of the bus, or upon demand of a principal of a
5 school to which the bus is assigned or other duly authorized
6 school system official.

7 (4) ~~Willfully~~ Intentionally stopping, impeding,
8 delaying, or detaining any public school bus being operated
9 for public school purposes with the intent to commit a crime
10 therein.

11 (b) The crime of trespass on a school bus in the
12 first degree is a ~~Class B~~ Class A misdemeanor.

13 (c) Subdivisions (2), (3), and (4) of subsection (a)
14 do not apply to a child who is less than 12 years of age or to
15 authorized school personnel who are boarding the school bus as
16 a part of their job assignment.

17 Section 3. Although this bill would have as its
18 purpose or effect the requirement of a new or increased
19 expenditure of local funds, the bill is excluded from further
20 requirements and application under Amendment 621, now
21 appearing as Section 111.05 of the Official Recompilation of
22 the Constitution of Alabama of 1901, as amended, because the
23 bill defines a new crime or amends the definition of an
24 existing crime.

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

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~~_____~~

Speaker of the House of Representatives

Kay Ivey

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 04-APR-13, as amended.

Jeff Woodard
Clerk

Senate

20-MAY-13

Passed

APPROVED May 23, 2013

TIME 2:55 p.m.

Robert Bentley
GOVERNOR

Alabama Secretary Of State

Act Num....: 2013-347
Bill Num...: H-105

Recv'd 05/24/13 11:17amSLF

SPONSORS
Zaber

HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 105

YEAS 99 NAYS 0
JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. _____ AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.
JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees

SENATE ACTION

DATE: 2/24/13 2013

RD 1 RFD

This Bill was referred to the Standing Committee of the Senate on JUDICIARY and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) 1 w/sub 0 by a vote of yeas 9 nays 0 abstain 0 this 17 day of April 2013
Carroll, Chairperson

DATE: 2/24 2013

RF FAVORABLE RD 2 CAL

DATE: _____ 20__

RE-REFERRED RE-COMMITTED
Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill,
HB _____

YEAS _____ NAYS _____
PATRICK HARRIS,
Secretary