

1 HB405
2 117751-2
3 By Representative Fincher
4 RFD: Agriculture and Forestry
5 First Read: 21-JAN-10

1 "(1) Willfully and knowingly cut, kill, destroy,
2 girdle, chop, chip, saw or otherwise damage timber or forest
3 products not his own or without authority of the legal owner~~7.~~

4 "(2) Willfully and knowingly remove timber or other
5 forest products other than his own or without authority of the
6 legal owner~~7.~~

7 "(3) Willfully and knowingly transport timber or
8 other forest products which have been severed or removed in
9 violation of subdivisions (1) or (2) of this section~~7.~~

10 (4) Willfully and knowingly purchase or contract to
11 purchase or otherwise obtain timber or forest products
12 severed, removed or transported in violation of subdivisions
13 (1), (2) or (3) of this section~~7 and 7.~~

14 "(5) Willfully and knowingly sell, contract to sell
15 or otherwise dispose of logs, poles, piling, crossties,
16 pulpwood, veneer bolts, staves or other unmanufactured or
17 semimanufactured forest products not his own or without
18 authority of the legal owner.

19 "(6) Alter or by any means cause a weight measuring
20 device to give a false reading as to the actual or true weight
21 of any forest products for the purpose of deceiving or
22 defrauding any person, firm, or corporation.

23 ~~shall be deemed guilty of a misdemeanor and shall be punished~~
24 ~~by a fine of not less than \$10.00 nor more than \$1,000.00 and~~
25 ~~may also be imprisoned in the county jail or sentenced to hard~~
26 ~~labor for not less than 10 days nor more than 12 months~~

1 "(b) A violation of subsection (a) is a Class A
2 misdemeanor and shall be punished as provided by law.

3 ~~"(c) The term "forest products" includes, but is not~~
4 ~~limited to, timber, trees, logs, lumber, pine straw, woody~~
5 ~~biomass, or any other products in the forest which are located~~
6 ~~on any land in this state, whether publicly or privately~~
7 ~~owned. This section shall not apply to any utility or~~
8 ~~corporation engaged in providing electric service. Nor shall~~
9 ~~it apply to the employees, contractors, agents, or~~
10 ~~representatives of a utility or corporation engaged in~~
11 ~~providing electric service where such employees, contractors,~~
12 ~~agents or representatives are acting within the course and~~
13 ~~scope of their employment, contract, or agency."~~

14 Section 2. Although this bill would have as its
15 purpose or effect the requirement of a new or increased
16 expenditure of local funds, the bill is excluded from further
17 requirements and application under Amendment 621, now
18 appearing as Section 111.05 of the Official Recompilation of
19 the Constitution of Alabama of 1901, as amended, because the
20 bill defines a new crime or amends the definition of an
21 existing crime.

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Agriculture and
Forestry 21-JAN-10

Read for the second time and placed
on the calendar with 1 substitute
and 04-FEB-10

Read for the third time and passed
as amended 11-MAR-10

Yeas 102, Nays 0, Abstains 0

Greg Pappas
Clerk