

1 SB163
2 115913-3
3 By Senators Little (T) and Mitchem
4 RFD: Agriculture, Conservation, and Forestry
5 First Read: 12-JAN-10

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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 amend Section 9-13-60, Code of Alabama 1975, to
12 provide further for penalties related to crimes involving
13 timber and forest products; to make it a crime to cause a
14 weight measuring device to give a false reading of timber or
15 forest products; to define forest products; and in connection
16 therewith would have as its purpose or effect the requirement
17 of a new or increased expenditure of local funds within the
18 meaning of Amendment 621 of the Constitution of Alabama of
19 1901, now appearing as Section 111.05 of the Official
20 Recompilation of the Constitution of Alabama of 1901, as
21 amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 9-13-60, Code of Alabama 1975, is
24 amended to read as follows:

25 "§9-13-60.

26 "(a) Any It is unlawful for any person or persons
27 who shall to do any of the following:

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) This section shall not apply to any utility or
4 corporation engaged in providing electric service or to the
5 agents or representatives of a utility or corporation engaged
6 in providing electric service."

7 Section 2. Although this bill would have as its
8 purpose or effect the requirement of a new or increased
9 expenditure of local funds, the bill is excluded from further
10 requirements and application under Amendment 621, now
11 appearing as Section 111.05 of the Official Recompilation of
12 the Constitution of Alabama of 1901, as amended, because the
13 bill defines a new crime or amends the definition of an
14 existing crime.

15 Section 3. 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.

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Senate

Read for the first time and referred to the Senate
committee on Agriculture, Conservation, and For-
estry 12-JAN-10

Read for the second time and placed on the calen-
dar 2 amendments 02-FEB-10

Read for the third time and passed as amended ... 23-FEB-10

Yeas 26
Nays 0

McDowell Lee
Secretary