

1 HB225
2 123654-1
3 By Representative Todd
4 RFD: Judiciary
5 First Read: 10-MAR-11

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8 SYNOPSIS: Under existing law, there is no provision to
9 create and maintain a statewide registry of
10 convicted animal abusers.

11 This bill would require the annual
12 registration of each animal abuser with the local
13 sheriff's department in the county of the abuser's
14 residence and would provide for fines and penalties
15 for violations.

16 This bill would require each county sheriff
17 to maintain a local registry of animal abusers; to
18 provide this information to certain residents,
19 businesses, and schools; and to forward the
20 registration information to the Department of
21 Public Safety.

22 This bill would require the Department of
23 Public Safety to create and maintain a central
24 registry of animal abusers that can be assessed by
25 the public.

26 Amendment 621 of the Constitution of Alabama
27 of 1901, now appearing as Section 111.05 of the

1 Official ReCompilation of the Constitution of
2 Alabama of 1901, as amended, prohibits a general
3 law whose purpose or effect would be to require a
4 new or increased expenditure of local funds from
5 becoming effective with regard to a local
6 governmental entity without enactment by a 2/3 vote
7 unless: it comes within one of a number of
8 specified exceptions; it is approved by the
9 affected entity; or the Legislature appropriates
10 funds, or provides a local source of revenue, to
11 the entity for the purpose.

12 The purpose or effect of this bill would be
13 to require a new or increased expenditure of local
14 funds within the meaning of the amendment. However,
15 the bill does not require approval of a local
16 governmental entity or enactment by a 2/3 vote to
17 become effective because it comes within one of the
18 specified exceptions contained in the amendment.

19
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 Relating to convicted animal abusers; to require
25 each county sheriff to maintain a local registry of animal
26 abusers and to require the sheriff to alert certain residents
27 of the animal abusers registration; to require the Department

1 of Public Safety to create and maintain a central registration
2 of animal abusers that can be accessed by the public; to
3 provide fines and penalties; and in connection therewith would
4 have as its purpose or effect the requirement of a new or
5 increased expenditure of local funds within the meaning of
6 Amendment 621 of the Constitution of Alabama of 1901, now
7 appearing as Section 111.05 of the Official Recompilation of
8 the Constitution of Alabama of 1901, as amended.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. (a) For purposes of this section, an
11 animal abuser means a person over eighteen years of age who
12 has been convicted of a violation of Section 13A-11-14 or
13 Section 13A-11-241, Code of Alabama 1975, or of a comparable
14 statute of another state.

15 (b) Any animal abuser physically within the
16 boundaries of this state for more than 10 consecutive days
17 shall register with the sheriff for the county in which the
18 animal abuser is located before the end of the eleventh day in
19 the state.

20 (c) Any previously registered animal abuser shall
21 reregister with the sheriff for the county in which the animal
22 abuser is located no later than 10 days after moving to a new
23 location within the state.

24 (d) When an animal abuser registers with the
25 sheriff, the animal abuser shall provide the following
26 registration information:

1 (1) Legal name and any other names or aliases that
2 he or she is using or has used.

3 (2) Date of birth.

4 (3) Social Security number.

5 (4) Current address or location.

6 (5) Place of employment.

7 (6) The animal protection offense for which he or
8 she was convicted, and the date and place of the animal
9 protection offense conviction.

10 (7) A photograph and complete set of fingerprints.

11 (8) A description of any tattos, scars, or other
12 distinguishing features on his or her body that would assist
13 in identification.

14 Section 2. (a) Following an animal abuser's initial
15 registration pursuant to this section, an animal abuser shall
16 annually renew the registration with the sheriff prior to
17 December 31 of each subsequent calendar year for a period of
18 15 years.

19 (b) An animal abuser who intentionally or knowingly
20 fails to comply with the registration requirements or provides
21 false information when complying with the registration
22 requirements set forth in this section shall be fined one
23 thousand dollars (\$1,000) or sentenced to 30 days
24 incarceration in the county jail.

25 (1) The sheriff shall forward all registration
26 information obtained from animal abusers to the Department of
27 Public Safety.

1 (2) Within 10 days of receiving initial registration
2 information from an animal abuser, the sheriff shall contact
3 every resident, school, humane society, animal shelter, and
4 any other business within a half mile radius of the animal
5 abuser's residence or location and provide them with the
6 animal abuser's registration information, with the exception
7 of the Social Security number.

8 Section 3. The Department of Public Safety shall
9 maintain a central registry of animal abusers which shall be
10 made available to the public through Internet access,
11 telephone access, and in-person access. All of the information
12 contained in an animal abuser's registration, with the
13 exception of the Social Security number, shall be made
14 available. Records of each animal abuser's registration shall
15 be maintained for the duration of the 15-year period in which
16 the animal abuser is required to be registered.

17 Section 4. 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.

25 Section 5. This act shall become effective on the
26 first day of the third month following its passage and
27 approval by the Governor, or its otherwise becoming law.

