

1 HB258  
2 135714-1  
3 By Representatives Williams (P), Ball, Brown, Gaston, Boothe,  
4 Hammon, McClendon, Fincher and Davis  
5 RFD: Public Safety and Homeland Security  
6 First Read: 09-FEB-12

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8 SYNOPSIS: This bill would prohibit inmates from  
9 establishing or maintaining any social networking  
10 website.

11 Amendment 621 of the Constitution of Alabama  
12 of 1901, now appearing as Section 111.05 of the  
13 Official Recompilation of the Constitution of  
14 Alabama of 1901, as amended, prohibits a general  
15 law whose purpose or effect would be to require a  
16 new or increased expenditure of local funds from  
17 becoming effective with regard to a local  
18 governmental entity without enactment by a 2/3 vote  
19 unless: it comes within one of a number of  
20 specified exceptions; it is approved by the  
21 affected entity; or the Legislature appropriates  
22 funds, or provides a local source of revenue, to  
23 the entity for the purpose.

24 The purpose or effect of this bill would be  
25 to require a new or increased expenditure of local  
26 funds within the meaning of the amendment. However,  
27 the bill does not require approval of a local

1 governmental entity or enactment by a 2/3 vote to  
2 become effective because it comes within one of the  
3 specified exceptions contained in the amendment.  
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5 A BILL  
6 TO BE ENTITLED  
7 AN ACT  
8

9 To prohibit inmates from establishing or maintaining  
10 any Internet-based social networking website; to prohibit any  
11 person from establishing or maintaining an Internet-based  
12 social networking website on behalf of an inmate; and in  
13 connection therewith would have as its purpose or effect the  
14 requirement of a new or increased expenditure of local funds  
15 within the meaning of Amendment 621 of the Constitution of  
16 Alabama of 1901, now appearing as Section 111.05 of the  
17 Official Recompilation of the Constitution of Alabama of 1901,  
18 as amended.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) No inmate in the custody of the  
21 Department of Corrections shall establish or maintain an  
22 account on any Internet-based social networking website.

23 (b) For purposes of this act, social networking  
24 website means an Internet-based website that has any of the  
25 following capabilities:

1           (1) Allows users to create web pages or profiles  
2 about themselves that are available to the general public or  
3 to any other users.

4           (2) Offers a mechanism for communication among  
5 users, such as a forum, chat room, electronic mail, or instant  
6 messaging.

7           (c) Any inmate who violates this section shall be  
8 guilty of a misdemeanor, punishable by a fine not to exceed  
9 five hundred dollars (\$500).

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

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