

1 HB75
2 135302-3
3 By Representative McCutcheon
4 RFD: Judiciary
5 First Read: 07-FEB-12
6 PFD: 01/23/2012

1 that person in reasonable fear of death or serious bodily harm
2 is guilty of the crime of stalking in the first degree.

3 "(b) The crime of stalking in the first degree is a
4 Class C felony.

5 "§13A-6-91.

6 "(a) A person who violates the provisions of Section
7 13A-6-90(a) and whose conduct in doing so also violates any
8 court order or injunction is guilty of the crime of aggravated
9 stalking in the first degree.

10 "(b) The crime of aggravated stalking in the first
11 degree is a Class B felony."

12 Section 3. Sections 13A-6-90.1 and 13A-6-91.1 are
13 added to Chapter 6 of Title 13A of the Code of Alabama 1975,
14 to read as follows:

15 §13A-6-90.1.

16 (a) A person who, acting with an improper purpose,
17 intentionally and repeatedly follows, harasses, telephones, or
18 initiates communication, verbally, electronically, or
19 otherwise, with another person, any member of the other
20 person's immediate family, or any third party with whom the
21 other person is acquainted, and causes material harm to the
22 mental or emotional health of the other person, or causes such
23 person to reasonably fear that his or her employment,
24 business, or career is threatened, and the perpetrator was
25 previously informed to cease that conduct is guilty of the
26 crime of stalking in the second degree.

1 (b) The crime of stalking in the second degree is a
2 Class B misdemeanor.

3 §13A-6-91.1.

4 (a) A person who violates the provisions of Section
5 13A-6-90.1 and whose conduct in doing so also violates any
6 court order or injunction is guilty of the crime of aggravated
7 stalking in the second degree.

8 (b) The crime of aggravated stalking in the second
9 degree is a Class C felony.

10 Section 4. 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 5. 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.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Judiciary 07-FEB-12

Read for the second time and placed
on the calendar 1 amendment 23-FEB-12

Read for the third time and passed
as amended..... 14-MAR-12

Yeas 84, Nays 0, Abstains 0

Greg Pappas
Clerk