

1 SB365
2 167786-3
3 By Senators Figures, Smith, Dunn and Coleman
4 RFD: Judiciary
5 First Read: 09-APR-15

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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 Relating to alcohol; to prohibit the sale, use, or
12 offer to sell powdered alcohol; to provide exceptions and
13 criminal penalties; and in connection therewith would have as
14 its purpose or effect the requirement of a new or increased
15 expenditure of local funds within the meaning of Amendment 621
16 of the Constitution of Alabama of 1901, now appearing as
17 Section 111.05 of the Official Recompilation of the
18 Constitution of Alabama of 1901, as amended.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) For purposes of this section,
21 "powdered alcohol" is alcohol sold in a powder or crystalline
22 form, for either direct use or reconstituted with any liquid
23 or food.

24 (b) It shall be unlawful for any person or business
25 establishment to possess, purchase, sell, offer to sell, or
26 use powdered alcohol.

1 (c) This section shall not apply to a hospital that
2 operates primarily for the purpose of conducting scientific
3 research, a state institution, a pharmaceutical company, or a
4 biotechnology company conducting bona fide research.

5 (d) A person or business establishment who
6 unlawfully possesses, purchases, or uses a powdered alcohol
7 product shall be fined as provided in a Class A misdemeanor
8 for the first offense.

9 (e) A person or business establishment who
10 unlawfully sells or offers to sell a powdered alcohol product
11 shall be guilty of a Class A misdemeanor, and on a second or
12 subsequent conviction, shall be guilty of a Class C felony.

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

21 Section 3. This act shall become effective on the
22 first day of the third month following its passage and
23 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 Judiciary..... 09-APR-15

Read for the second time and placed on the calen-
dar with 1 substitute and..... 16-APR-15

Read for the third time and passed as amended 30-APR-15

Yeas 30
Nays 0

Patrick Harris
Secretary