

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

1 SB365

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4 ENROLLED, An Act,

5 Relating to alcohol; to prohibit the sale, use, or
6 offer to sell powdered alcohol; to provide exceptions and
7 criminal penalties; and in connection therewith would have as
8 its purpose or effect the requirement of a new or increased
9 expenditure of local funds within the meaning of Amendment 621
10 of the Constitution of Alabama of 1901, now appearing as
11 Section 111.05 of the Official Recompilation of the
12 Constitution of Alabama of 1901, as amended.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. (a) For purposes of this section,
15 "powdered alcohol" is alcohol sold in a powder or crystalline
16 form, for either direct use or reconstituted with any liquid
17 or food.

18 (b) It shall be unlawful for any person or business
19 establishment to possess, purchase, sell, offer to sell, or
20 use powdered alcohol.

21 (c) This section shall not apply to a hospital that
22 operates primarily for the purpose of conducting scientific
23 research, a state institution, a pharmaceutical company, or a
24 biotechnology company conducting bona fide research.

1 (d) A person or business establishment who
2 unlawfully possesses, purchases, or uses a powdered alcohol
3 product shall be fined as provided in a Class A misdemeanor
4 for the first offense.

5 (e) A person or business establishment who
6 unlawfully sells or offers to sell a powdered alcohol product
7 shall be guilty of a Class A misdemeanor, and on a second or
8 subsequent conviction, shall be guilty of a Class D felony.

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

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB365

Senate 30-APR-15

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Amended and passed 02-JUN-15

Senate concurred in House amendment 03-JUN-15

By: Senator Figures