

1 HB425
2 182562-1
3 By Representatives Pettus, Millican, Shedd, Harbison, Beckman,
4 Knight, Brown, Hanes, Farley, Patterson, Henry, Butler,
5 Jackson, Alexander, Standridge and Rowe
6 RFD: State Government
7 First Read: 16-MAR-17

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8 SYNOPSIS: Under existing law, in 2013, the Alabama
9 State Law Enforcement Agency (ALEA) was created,
10 and on January 1, 2015, the law enforcement
11 functions of various offices, departments,
12 divisions, entities, and agencies of the state,
13 including the Department of Public Safety and all
14 of its divisions, the Alabama Bureau of
15 Investigation, the Marine Police Division of the
16 Department of Conservation and Natural Resources,
17 the Department of Homeland Security, the Alabama
18 Criminal Justice Information Center, the law
19 enforcement unit of the Alabama Alcoholic Beverage
20 Control Board, the investigative unit of the
21 Alabama Forestry Commission, the investigative unit
22 of the Department of Agriculture and Industries,
23 the law enforcement unit of the Public Service
24 Commission, and the revenue enforcement officers of
25 the Department of Revenue, were all consolidated
26 within ALEA. Under existing law, the position of
27 Secretary of ALEA was created and the secretary was

1 designated the executive head of ALEA as well as
2 the Director of Homeland Security. Under existing
3 law, two divisions were established within ALEA,
4 the Department of Public Safety and the State
5 Bureau of Investigations.

6 Under existing law, the Code Commissioner
7 was directed to conform references in the Code of
8 Alabama 1975, to the offices, departments,
9 divisions, and other entities consolidated into
10 ALEA and to reflect the changes made by the
11 consolidation.

12 This bill would return the law enforcement
13 functions consolidated within ALEA to the offices,
14 departments, divisions, and other entities and
15 agencies with which they existed before the
16 creation of ALEA. This bill would abolish ALEA and
17 would direct the Code Commissioner to make
18 conforming changes in the Code of Alabama 1975.

19
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 Relating to the Alabama State Law Enforcement
25 Agency; to repeal Section 29-7-14 and Article 1 of Chapter 27
26 of Title 41, comprised of Sections 41-27-1 to 41-27-9,
27 inclusive, of the Code of Alabama 1975; to return the law

1 enforcement functions consolidated within the Alabama State
2 Law Enforcement Agency to the offices, departments, divisions,
3 and other entities and agencies with which they existed before
4 the creation of ALEA and abolish ALEA; and to direct the Code
5 Commissioner to make conforming changes in the Code of Alabama
6 1975.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 29-7-14 of the Code of Alabama
9 1975, directing the Code Commissioner to conform certain
10 references related to the creation of the Alabama State Law
11 Enforcement Agency, is repealed.

12 Section 2. One year after the effective date of this
13 act, Article 1 of Chapter 27 of Title 41, comprised of
14 Sections 41-27-1 to 41-27-9, inclusive, of the Code of Alabama
15 1975, creating the Alabama State Law Enforcement Agency and
16 the Secretary of Law Enforcement and consolidating various
17 offices, departments, divisions, and other entities into that
18 agency, is repealed.

19 Section 3. (a) On the effective date of this act,
20 all functions, powers, authority, duties, and jurisdiction and
21 all books, records, funds, equipment, and personnel of the
22 Alabama State Law Enforcement Agency, established pursuant to
23 Article 1 of Chapter 27 of Title 41 of the Code of Alabama
24 1975, are transferred to and reestablished within the offices,
25 departments, divisions, and entities, and agencies in which
26 they existed before January 1, 2015. The Alabama State Law
27 Enforcement Agency shall have one year from the effective date

1 of this act to implement the transfers provided for in this
2 act, and at that time, the various offices, departments,
3 divisions, and entities, and agencies consolidated into the
4 Alabama State Law Enforcement Agency shall exist and function
5 in the same manner as they functioned before January 1, 2015.

6 (b) One year following the effective date of this
7 act, the Alabama State Law Enforcement Agency is abolished.

8 Section 4. The Code Commissioner shall conform
9 references to the Alabama State Law Enforcement Agency in the
10 Code of Alabama 1975, to the units, departments, divisions,
11 and other state entities as they existed before January 1,
12 2015. Code changes shall be made at a time determined to be
13 appropriate by the Code Commissioner.

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