

1 SB2  
2 196318-1  
3 By Senator McClendon  
4 RFD: Judiciary  
5 First Read: 05-MAR-19  
6 PFD: 01/14/2019

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8 SYNOPSIS: Under existing law, Act 2018-517 of the 2018  
9 Regular Session provides that a person charged with  
10 driving under the influence of alcohol or drugs and  
11 approved for any pretrial diversion program is  
12 required to install an approved ignition interlock  
13 device for a minimum of six months or the duration  
14 of the pretrial diversion program. Act 2018-517  
15 further amends the driving under the influence law  
16 to delete this requirement effective five years  
17 from the effective date of Act 2018-517.

18 This bill would repeal the future amendment  
19 of the driving under the influence law to preserve  
20 the provisions of the law requiring the  
21 installation of an ignition interlock device in  
22 pretrial diversion cases and would amend Act  
23 2018-517, to make conforming changes.

24  
25 A BILL  
26 TO BE ENTITLED  
27 AN ACT

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2 Relating to driving under the influence and the  
3 requirements for the installation of an ignition interlock  
4 device by a person charged with driving under the influence  
5 and approved for pretrial diversion program; to repeal Section  
6 2 of Act 2018-517 of the 2018 Regular Session, now appearing  
7 as Section 32-5A-191 of the Code of Alabama 1975, effective  
8 July 1, 2023, which would delete provisions requiring the  
9 installation of ignition interlock by a person charged with  
10 driving under the influence and approved for a pretrial  
11 diversion program; and to amend Section 4 of Act 2018-517 of  
12 the 2018 Regular Session to conform to this act.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 2 of Act 2018-517 of the 2018  
15 Regular Session, now appearing as Section 32-5A-191, effective  
16 July 1, 2013, is repealed.

17 Section 2. Section 4 of Act 2018-517 of the 2018  
18 Regular Session is amended to read as follows:

19 "(a) The provisions of Section 1 ~~and Section 2~~ shall  
20 govern the construction and punishment for any offense defined  
21 in Section 1 ~~and Section 2~~ committed after the effective date  
22 of this act, ~~except the provisions of subsection (y) of~~  
23 ~~Section 32-5A-191, Code of Alabama 1975, as amended by Section~~  
24 ~~1, shall only apply for five years after the effective date of~~  
25 ~~this act.~~

26 "(b) The provisions of Section 1 do not apply to or  
27 govern the construction and punishment of any offense

1 committed prior to the effective date of this act. ~~The~~  
2 ~~provisions of Section 2 do not apply to or govern the~~  
3 ~~construction and punishment of any offense committed prior to~~  
4 ~~the effective date of Section 2."~~

5 Section 3. This act shall become effective  
6 immediately following its passage and approval by the  
7 Governor, or its otherwise becoming law.