

1 HB85
2 204412-1
3 By Representative Hill
4 RFD: Judiciary
5 First Read: 04-FEB-20
6 PFD: 02/03/2020

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8 SYNOPSIS: Under existing law, theft of lost property
9 offenses have threshold amounts established for
10 each offense.

11 This bill would amend the threshold amounts
12 for theft of lost property offenses.

13 This bill would also make nonsubstantive,
14 technical revisions to update the existing code
15 language to current style.

16 Amendment 621 of the Constitution of Alabama
17 of 1901, now appearing as Section 111.05 of the
18 Official Recompilation of the Constitution of
19 Alabama of 1901, as amended, prohibits a general
20 law whose purpose or effect would be to require a
21 new or increased expenditure of local funds from
22 becoming effective with regard to a local
23 governmental entity without enactment by a 2/3 vote
24 unless: it comes within one of a number of
25 specified exceptions; it is approved by the
26 affected entity; or the Legislature appropriates

1 funds, or provides a local source of revenue, to
2 the entity for the purpose.

3 The purpose or effect of this bill would be
4 to require a new or increased expenditure of local
5 funds within the meaning of the amendment.

6 However, the bill does not require approval of a
7 local governmental entity or enactment by a 2/3
8 vote to become effective because it comes within
9 one of the specified exceptions contained in the
10 amendment.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT
15

16 Relating to crimes and offenses; to amend Sections
17 13A-8-7, 13A-8-8, 13A-8-8.1, and 13A-8-9, Code of Alabama
18 1975, to amend the threshold amounts for theft of lost
19 property offenses; to make nonsubstantive, technical revisions
20 to update the existing code language to current style; and in
21 connection therewith would have as its purpose or effect the
22 requirement of a new or increased expenditure of local funds
23 within the meaning of Amendment 621 of the Constitution of
24 Alabama of 1901, now appearing as Section 111.05 of the
25 Official Recompilation of the Constitution of Alabama of 1901,
26 as amended.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 13A-8-7, 13A-8-8, 13A-8-8.1, and
2 13A-8-9, Code of Alabama 1975, are amended to read as follows:

3 "§13A-8-7.

4 "(a) The theft of lost property ~~which~~ that exceeds
5 ~~two~~ three thousand five hundred dollars ~~(\$2,500)~~ (\$3,500) in
6 value constitutes theft of lost property in the first degree.

7 "(b) Theft of lost property in the first degree is a
8 Class B felony.

9 "§13A-8-8.

10 "(a) The theft of lost property ~~between one~~ that
11 exceeds two thousand five hundred dollars ~~(\$1,500)~~ (\$2,500) in
12 value ~~and two,~~ but does not exceed three thousand five hundred
13 dollars ~~(\$2,500)~~ (\$3,500) in value, constitutes theft of lost
14 property in the second degree.

15 "(b) Theft of lost property in the second degree is
16 a Class C felony.

17 "§13A-8-8.1.

18 "(a) The theft of lost property ~~which~~ that exceeds
19 one thousand five hundred dollars ~~(\$500)~~ (\$1,500) in value,
20 but does not exceed ~~one thousand four hundred and ninety-nine~~
21 ~~dollars (\$1,499)~~ two thousand five hundred dollars (\$2,500) in
22 value, constitutes theft of lost property in the third degree.

23 "(b) Theft of lost property in the third degree is a
24 Class D felony.

25 "§13A-8-9.

1 "(a) The theft of lost property ~~which~~ that does not
2 exceed one thousand five hundred dollars ~~(\$500)~~ (\$1,500) in
3 value constitutes theft of lost property in the fourth degree.

4 "(b) Theft of lost property in the fourth degree is
5 a Class A misdemeanor."

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

14 Section 3. 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.