

1 HB17  
2 214571-3  
3 By Representatives Reynolds, Whitt, Stringer, Robertson and  
4 Simpson  
5 RFD: Judiciary  
6 First Read: 11-JAN-22  
7 PFD: 09/01/2021



1 Amendment 621 of the Constitution of Alabama of 1901, as  
2 amended by Amendment 890, now appearing as Section 111.05 of  
3 the Official Recompilation of the Constitution of Alabama of  
4 1901.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. This act shall be known and may be cited  
7 as the Agent Billy Clardy III Act.

8 Section 2. Chapter 2A, commencing with Sections  
9 20-2A-1, is added to Title 20, Code of Alabama 1975, to read  
10 as follows:

11 §20-2A-1.

12 For the purposes of this chapter, the following  
13 terms shall have the following meanings:

14 (1) AGENCY. Alabama State Law Enforcement Agency.

15 (2) AGGRIEVED INDIVIDUAL. An individual who was a  
16 party to an intercepted wire or electronic communication or an  
17 individual against whom the interception was directed.

18 (3) ATTORNEY GENERAL. The Attorney General of the  
19 State of Alabama or his or her designee.

20 (4) COMMUNICATION COMMON CARRIER. The term as  
21 defined in 47 U.S.C. § 153(11) ~~or a provider of communication~~  
22 ~~services.~~

23 (5) COMMUNICATIONS SERVICE PROVIDER. A provider of  
24 communication service as defined in Section 37-2A-2.

25 ~~(5)~~ (6) CONTENTS. When used with respect to a wire  
26 or electronic communication, any information concerning the

1 identity of the parties to the communication or the existence,  
2 substance, purport, or meaning of that communication.

3 ~~(6)~~ (7) ELECTRONIC COMMUNICATION. Any transfer of an  
4 electronic or other signal, including any fax signal, computer  
5 generated signal, other similar signal, or scrambled or  
6 encrypted signal transferred via wire, radio, electromagnetic,  
7 photoelectric, or photo optical system from one party to  
8 another in which the involved parties may reasonably expect  
9 the communication to be private.

10 ~~(7)~~ (8) ELECTRONIC, MECHANICAL, OR OTHER DEVICE. A  
11 device or apparatus primarily designed or used for the  
12 nonconsensual interception of wire or electronic  
13 communications.

14 ~~(8)~~ (9) INTERCEPT. The aural or other acquisition of  
15 the contents of a wire or electronic communication through the  
16 use of an electronic, mechanical, or other device.

17 ~~(9)~~ (10) INVESTIGATIVE OFFICER. A special agent of  
18 the agency, a special agent of the Attorney General's office,  
19 or any other law enforcement officer designated by the  
20 secretary of the agency who meets guidelines established by  
21 the secretary and who has successfully completed a training  
22 course approved by the Attorney General on the legal and  
23 technical aspects of the interception and use of wire or  
24 electronic communications.

25 ~~(10)~~ (11) JUDGE OF COMPETENT JURISDICTION. A circuit  
26 court judge in the county where the intercept is expected to  
27 take place or a circuit court judge designated by the Chief

1 Justice of the Supreme Court or by the Alabama Supreme Court  
2 to hear intercept applications or where the interception takes  
3 place.

4 ~~(11)~~ (12) PROSECUTOR. A district attorney or his or  
5 her designee.

6 ~~(12)~~ (13) SECRETARY. The Secretary of the Alabama  
7 State Law Enforcement Agency or his or her designee.

8 ~~(13)~~ (14) WIRE COMMUNICATION. A communication made  
9 in whole or in part through the use of facilities for the  
10 transmission of communications by the aid of wire, cable, or  
11 other like connection between the point of origin and the  
12 point of reception furnished or operated by an individual  
13 engaged as a communication common carrier or communications  
14 service provider in providing or operating the facilities for  
15 the transmission of communications.

16 §20-2A-2.

17 (a) No individual or other agency, other than the  
18 Alabama State Law Enforcement Agency, may own or possess an  
19 electronic, mechanical, or other device.

20 (b) Only investigative officers may install,  
21 operate, or monitor an electronic, mechanical, or other  
22 device.

23 (c) Any law enforcement officer may assist in the  
24 operation and monitoring of an interception of a wire or  
25 electronic communication as long as an investigative officer  
26 is present at all times.

1 (d) The agency shall perform audits on the  
2 electronic, mechanical, or other devices.

3 (e) The secretary may approve the use of an  
4 electronic, mechanical, or other device that is being used by  
5 a federal agency, as long as the approval is made in writing  
6 and attached to the original affidavit.

7 §20-2A-3.

8 Orders authorizing, approving, or extending the  
9 interception of wire or electronic communications may be  
10 granted, subject to this chapter, when the intercept may  
11 provide or has provided evidence an individual is committing,  
12 has committed, or is about to commit a felony drug offense  
13 included in Article 5, commencing with Section 13A-12-201, of  
14 Chapter 12, of Title 13A.

15 §20-2A-4.

16 (a) (1) An investigative officer may submit a written  
17 request to the secretary requesting the secretary apply for an  
18 intercept order. If the secretary approves the request, the  
19 secretary may submit a written request to the Attorney General  
20 requesting the Attorney General apply for an intercept order  
21 to a judge of competent jurisdiction. The written request  
22 shall be on a form approved by the Attorney General and shall  
23 include an affidavit.

24 (2) The affidavit shall include all of the  
25 following:

26 a. The identity of the investigating officer making  
27 the application.

1           b. A statement of the facts and circumstances relied  
2 upon by the applicant to justify the belief that an order  
3 should be issued, including all of the following:

4           1. Details of the specific offense that has been  
5 committed, is being committed, or will be committed.

6           2. A particular description of the nature and  
7 location of the communications facilities from which, or the  
8 place where, the communication is to be intercepted.

9           3. A particular description of the type of  
10 communication sought to be intercepted.

11           4. The identity of the individual, if known, whose  
12 communications are to be intercepted.

13           c. A statement that other investigative procedures  
14 have been attempted and failed, reasonably appear to be  
15 unlikely to succeed if attempted, or are too dangerous to be  
16 attempted.

17           d. A statement of the period of time the intercept  
18 is required to be maintained, including a statement of whether  
19 the intercept will automatically terminate when the described  
20 communication is first obtained. If the authorization for the  
21 intercept does not automatically terminate when the described  
22 type of communication is obtained, facts that establish  
23 probable cause to believe additional communications of the  
24 same type will occur.

25           e. A statement of the facts concerning all previous  
26 applications known to the applicant, made to any judge for  
27 approval of an intercept involving the same individual,

1 facilities, or places specified in the application and the  
2 action taken by the judge, if known.

3 f. If the application is for the extension of an  
4 order, a statement explaining the results obtained from the  
5 intercept or a reasonable explanation of the failure to obtain  
6 required results.

7 (b) (1) The Attorney General shall review the request  
8 and decide whether it is appropriate to submit an application  
9 to a judge of competent jurisdiction for an intercept order.

10 (2) If the Attorney General decides to submit an  
11 application, he or she shall notify the secretary or the  
12 investigative officer.

13 (3) If the Attorney General declines to submit an  
14 application, he or she shall send the secretary or the  
15 investigative officer a notice of declination within 10 days.

16 §20-2A-5.

17 (a) Upon receiving an application from the Attorney  
18 General for an intercept order, a judge of competent  
19 jurisdiction may enter an ex parte intercept order as  
20 requested or as modified, authorizing an intercept within the  
21 territorial jurisdiction of the court if the judge determines  
22 all of the following:

23 (1) There is probable cause to believe that an  
24 individual is committing, has committed, or is about to commit  
25 a felony drug offense included in Article 5, commencing with  
26 Section 13A-12-201, of Chapter 12, of Title 13A.



1           (2) There is probable cause to believe that specific  
2 communications concerning that offense will be obtained  
3 through the intercept.

4           (3) Normal investigative procedures have been  
5 attempted and have failed, reasonably appear to be unlikely to  
6 succeed if attempted, or are too dangerous to be attempted.

7           (4) There is probable cause to believe that the  
8 facilities from which, or the place where, the wire or  
9 electronic communications are to be intercepted are being  
10 used, or are about to be used, in connection with the  
11 commission of the offense, or are being leased to, listed in  
12 the name of, or commonly used by the individual described in  
13 the application.

14           (b) Each intercept order authorizing or approving  
15 the interception of a wire or electronic communication shall  
16 specify all of the following:

17           (1) The identity of the individual, if known, whose  
18 communications are to be intercepted.

19           (2) The nature and location of the communications  
20 facilities which, or the place where, authority to intercept  
21 is granted, and the means by which the intercept may be made.

22           (3) A description of the type of communication  
23 sought to be intercepted and a statement of the particular  
24 offense to which it relates.

25           (4) The identity of the agency authorized to  
26 intercept the communications and the individual requesting the  
27 application.

1           (5) The period of time the intercept is authorized,  
2 including a statement of whether the intercept automatically  
3 terminates when the described communication is first obtained.

4           (c) The intercept order authorizing the intercept,  
5 upon request of the applicant, shall direct that a  
6 communication common carrier, communications service provider,  
7 custodian, or other individual furnish the applicant all  
8 information, facilities, and technical assistance necessary to  
9 accomplish the intercept unobtrusively and with a minimum of  
10 interference with the services that the carrier, custodian, or  
11 other individual is providing the individual whose  
12 communications are to be intercepted. Any communication common  
13 carrier, communications service provider, custodian, or other  
14 individual furnishing facilities or technical assistance shall  
15 be compensated by the applicant for reasonable expenses  
16 incurred in providing facilities or assistance at the  
17 prevailing rates.

18           (d) (1) An intercept order entered pursuant to this  
19 chapter may not authorize the interception of a wire or  
20 electronic communication for any period longer than is  
21 necessary to achieve the objective of the authorization, and  
22 in no event for more than 30 days. The 30-day period begins  
23 either when the investigative officer first begins to conduct  
24 an intercept under the intercept order, or 10 days after the  
25 order is entered, whichever is sooner.

26           (2) The issuing judge may grant extensions of an  
27 intercept order, but only upon an application for an extension

1 made in accordance with this chapter. The period of extension  
2 may not be for any period longer than the authorizing judge  
3 deems necessary to achieve the objective for which it is  
4 granted, and in no event may the extension be for more than 30  
5 days. To be valid, each order and extension of an order shall  
6 provide that the authorization to intercept be executed as  
7 soon as practicable, be conducted in a way that minimizes the  
8 interception of communications not otherwise subject to  
9 interception under this chapter, and terminate upon obtaining  
10 the authorized objective or within 30 days, whichever occurs  
11 sooner.

12 (e) Whenever an order authorizing an intercept is  
13 entered pursuant to this chapter, the order may require  
14 reports to the judge who issued the order showing what  
15 progress has been made toward achieving the authorized  
16 objective and the need for continued interception. Reports  
17 shall be made at any interval required by the judge.

18 (f) A judge who issues an order authorizing the  
19 interception of a wire or electronic communication may not  
20 hear a criminal prosecution in which evidence derived from the  
21 interception may be used or in which the order may be an  
22 issue.

23 (g) For jurisdictional purposes, the territorial  
24 jurisdiction pursuant to subsection (a) includes both the  
25 location of the device and the original listening post. A  
26 judge in either jurisdiction, or a circuit court judge  
27 designated by the Chief Justice of the Supreme Court or by the

1 Alabama Supreme Court to hear intercept applications, has the  
2 authority to issue an intercept order.

3 §20-2A-6.

4 (a) The contents of a wire or electronic  
5 communication intercepted by means authorized by this chapter  
6 shall be recorded on tape, wire, or other comparable device,  
7 to the extent practicable. The recording of the contents of a  
8 wire or electronic communication under this section shall be  
9 performed in a way that protects the recording from editing or  
10 other alterations.

11 (b) Immediately following the expiration of an  
12 intercept order, or all extensions, if any, the recordings  
13 shall be made available to the judge issuing the order and  
14 shall be sealed. Custody of the recordings shall be wherever  
15 the judge orders. The recordings may not be destroyed until at  
16 least 10 years after the date of expiration of the order and  
17 the last extension, if any. A recording may be destroyed only  
18 by order of the judge who authorized the interception, or his  
19 or her successor.

20 (c) Duplicate recordings may be made for use or  
21 disclosure pursuant to Section 20-2A-8 for investigative  
22 purposes. One copy shall remain in the custody of the judge  
23 and one copy shall be given to the entity that executed the  
24 intercept order.

25 (d) The presence of a seal as required in subsection  
26 (b), or a satisfactory explanation of its absence, shall be a  
27 prerequisite for the use or disclosure of the contents of any

1 wire or electronic communication or any evidence derived from  
2 the communication under Section 20-2A-8.

3 (e) A violation of this section shall be punished as  
4 contempt of court.

5 §20-2A-7.

6 (a) The judge of competent jurisdiction shall seal  
7 each application made, and order granted, under this chapter.  
8 Custody of the applications and orders shall be wherever the  
9 judge orders. An application or order may be disclosed only  
10 upon a showing of good cause before a judge of competent  
11 jurisdiction. An application or order may not be destroyed  
12 until at least 10 years after the date it was sealed. An  
13 application or order may be destroyed only by order of the  
14 judge who authorized the interception, or his or her  
15 successor.

16 (b) A violation of this section shall be punished as  
17 contempt of court.

18 §20-2A-8.

19 (a) Within a reasonable time, but not later than 90  
20 days after the date an application for an order is denied or  
21 after the date an order, or the last extension, if any,  
22 expires, the judge who granted or denied the application shall  
23 serve an inventory on the individuals named in the order or  
24 the application or any other parties to the intercepted  
25 communications deemed appropriate by the issuing judge, if  
26 any. The inventory shall include a notice of all of the  
27 following:

1 (1) The entry of the order or the application.

2 (2) The date of the entry and the period of  
3 authorized interception or the date of denial of the  
4 application.

5 (3) Whether wire or electronic communications were  
6 intercepted during the authorized period.

7 (b) Upon a motion, the judge may make available for  
8 inspection to any individual or individuals whose  
9 communications have been intercepted, or their counsel, any  
10 portion of an intercepted communication, application, or order  
11 the judge determines is in the interest of justice to disclose  
12 to that individual.

13 (c) Upon an ex parte showing of good cause to the  
14 judge, the serving of the inventory required by this section  
15 may be postponed, but evidence derived from an order under  
16 this chapter may not be disclosed in any trial until after the  
17 inventory has been served.

18 §20-2A-9.

19 (a) The contents of an intercepted wire or  
20 electronic communication, or evidence derived from the  
21 communication, may not be entered in evidence or otherwise  
22 disclosed in a trial, hearing, or other proceeding in a  
23 federal or state court unless each party has been furnished a  
24 copy of the court order and application under which the  
25 intercept was authorized or approved, at least 10 days before  
26 the date of the trial, hearing, or other proceeding. The  
27 10-day period may be waived by the judge if he or she finds it

1 is not possible to furnish the party with the information 10  
2 days before the trial, hearing, or proceeding and that the  
3 party will not be prejudiced by the delay in receiving the  
4 information.

5 (b) An aggrieved individual charged with an offense  
6 in a trial, hearing, or proceeding in or before a court,  
7 department, officer, agency, regulatory body, or other  
8 authority of the United States or of this state or a political  
9 subdivision of this state, may move to suppress the contents  
10 of an intercepted wire or electronic communication or evidence  
11 derived from the communication on any of the following  
12 grounds:

13 (1) The communication was unlawfully intercepted.

14 (2) The order authorizing the interception is  
15 insufficient on its face.

16 (3) The interception was not made in conformity with  
17 the order.

18 (c) The motion to suppress shall be made before the  
19 trial, hearing, or proceeding, unless there was no opportunity  
20 to make the motion before the trial, hearing, or proceeding,  
21 or the individual was not aware of the grounds of the motion  
22 before the trial, hearing, or proceeding. The hearing on the  
23 motion shall be held in camera upon the written request of the  
24 aggrieved individual. If the motion is granted, the contents  
25 of the intercepted wire or electronic communication, and  
26 evidence derived from the communication, shall be treated as  
27 inadmissible evidence. The judge, on the filing of the motion

1 by the aggrieved individual, shall make available for  
2 inspection to the aggrieved individual, or his or her counsel,  
3 any portion of the intercepted communication, or evidence  
4 derived from the communication, that the judge determines is  
5 in the interest of justice to make available.

6 §20-2A-10.

7 (a) Any law enforcement officer who obtains, by any  
8 means authorized by this chapter, knowledge of the contents of  
9 a wire or electronic communication, or evidence derived from  
10 the communication, may disclose the contents, or evidence  
11 derived, to another law enforcement officer if the disclosure  
12 is appropriate to the proper performance of the official  
13 duties of the officer making or receiving the disclosure.

14 (b) Any law enforcement officer who obtains, by any  
15 means authorized by this chapter, knowledge of the contents of  
16 a wire or electronic communication, or evidence derived from  
17 the communication, may use the contents, or evidence derived,  
18 if the use is appropriate to the proper performance of the  
19 official duties of the officer.

20 (c) Any individual who receives, by any means  
21 authorized by this chapter, information concerning a wire or  
22 electronic communication, or evidence derived from the  
23 communication, may disclose the contents of the communication,  
24 or evidence derived from the communication, while giving  
25 testimony in any proceeding held under the authority of the  
26 United States, this state, or a political subdivision of this  
27 state.



1 (d) No privileged wire or electronic communication  
2 intercepted in accordance with, or in violation of, this  
3 chapter shall lose its privileged character.

4 (e) When an investigative officer, while engaged in  
5 intercepting wire or electronic communications in a manner  
6 authorized by this chapter, intercepts communications relating  
7 to an offense other than those specified in the intercept  
8 order, the contents of, and evidence derived from, the  
9 communication may be disclosed or used as provided by  
10 subsection (a) and (b). The contents of, and any evidence  
11 derived from the communication may be used under subsection  
12 (c) when a judge of competent jurisdiction finds, on a  
13 subsequent application, that the contents were otherwise  
14 intercepted in accordance with this chapter. The subsequent  
15 application shall be made as soon as practicable.

16 §20-2A-11.

17 (a) On or before January 31 of each year, any judge  
18 who has issued an order, or an extension of an order, pursuant  
19 to Section 20-2A-5 that expired during the preceding year, or  
20 who has denied approval of an intercept order during the  
21 preceding year, shall report to the Administrative Office of  
22 the United States Courts all of the following:

23 (1) The fact that an order or extension was sought.

24 (2) The kind of order or extension sought.

25 (3) The fact that the order or extension was granted  
26 as applied for, was modified, or was denied.

1           (4) The period of intercepts authorized by the order  
2 and the number and duration of any extensions of the order.

3           (5) The offense specified in the order, application,  
4 or extension.

5           (6) The identity of the officer making the request  
6 and the individual authorizing the application.

7           (7) The nature of the facilities or the place where  
8 communications were to be intercepted.

9           (b) On or before March 31 of each year, the Attorney  
10 General shall report to the Administrative Office of the  
11 United States Courts the following information for the  
12 preceding calendar year:

13           (1) The information required by subsection (a) with  
14 respect to each application for an order or extension made.

15           (2) A general description of the intercepts made  
16 under each order or extension, including the approximate  
17 nature and frequency of incriminating communications  
18 intercepted, the approximate nature and frequency of other  
19 communications intercepted, the approximate number of  
20 individuals whose communications were intercepted, and the  
21 approximate nature, amount, and cost of the manpower and other  
22 resources used in the interceptions.

23           (3) The number of arrests resulting from  
24 interceptions made under each order or extension and the  
25 offenses for which arrests were made.

26           (4) The number of trials resulting from intercepts.

1           (5) The number of motions to suppress made with  
2 respect to intercepts and the number granted or denied.

3           (6) The number of convictions resulting from  
4 intercepts, the offenses for which the convictions were  
5 obtained, and a general assessment of the importance of the  
6 intercepts.

7           (7) The information required by subdivisions (2)  
8 through (6) with respect to orders or extensions obtained.

9           (c) Any judge required to file a report with the  
10 Administrative Office of the United States Courts and the  
11 Attorney General shall forward a copy of the report to the  
12 secretary by March 15 of each year.

13           (d) On or before April 15 of each year, the  
14 secretary shall submit to the Alabama Administrative Office of  
15 Courts a report of all intercepts conducted pursuant to this  
16 chapter and terminated during the preceding calendar year.  
17 Such report shall include all of the following:

18           (1) All reports received by judges and the report  
19 received by the Attorney General, as required by this section.

20           (2) The number of agency personnel and other  
21 designated law enforcement officers authorized to possess,  
22 install, or operate electronic, mechanical, or other devices.

23           (3) The number of agency personnel and other  
24 designated law enforcement officers who participated or  
25 engaged in the seizure of intercepts pursuant to this chapter  
26 during the preceding calendar year.

1           (4) The total cost to the agency of all activities  
2 and procedures relating to the seizure of intercepts during  
3 the preceding calendar year, including costs of equipment,  
4 manpower, and expenses incurred as compensation for use of  
5 facilities or technical assistance provided by the agency.

6           §20-2A-12.

7           (a) An individual whose wire or electronic  
8 communication is intercepted, disclosed, or used in violation  
9 of this chapter shall have a civil cause of action against any  
10 individual who intercepts, discloses, or uses or procures  
11 another individual to intercept, disclose, or use the  
12 communication, and is entitled to recover from the individual  
13 or entity which engaged in the violation any of the following:

14           (1) Actual damages.

15           (2) Punitive damages.

16           (3) Reasonable attorney's fees and other litigation  
17 costs reasonably incurred.

18           (b) This section does not apply to any of the  
19 following individuals if acting in a reasonable manner  
20 pursuant to this chapter:

21           (1) An operator of a switchboard, or an officer,  
22 employee, or agent of a communication common carrier or a  
23 communications service provider whose facilities are used in  
24 the transmission of a wire communication, who intercepts a  
25 communication, or who discloses or uses an intercepted  
26 communication in the normal course of employment while engaged  
27 in an activity that is a necessary incident to the rendition

1 of service or to the protection of the rights or property of  
2 the carrier of the communication.

3 (2) An officer, employee, or agent of a  
4 communication common carrier or communications service  
5 provider who employs or uses any equipment or device that may  
6 be attached to any telephonic equipment of any subscriber  
7 which permits the interception and recording of any telephonic  
8 communications solely for the purposes of business service  
9 improvements.

10 (3) An officer, employee, or agent of a  
11 communication common carrier or communications service  
12 provider who provides information, facilities, or technical  
13 assistance to an investigative officer who is authorized as  
14 provided by this chapter to intercept a wire or electronic  
15 communication.

16 (4) An individual acting under authority of law who  
17 intercepts a wire or electronic communication if the  
18 individual is a party to the communication, or if one of the  
19 parties to the communication has given prior consent to the  
20 interception.

21 (5) An individual not acting under authority of law  
22 who intercepts a wire or electronic communication if the  
23 individual is a party to the communication, or if one of the  
24 parties to the communication has given prior consent to the  
25 interception, unless the communication is intercepted for the  
26 purpose of committing any criminal or tortious act in  
27 violation of the Constitution or laws of the United States or

1 of this state or for the purpose of committing any other  
2 injurious act.

3 (c) A good faith reliance on a court order is a  
4 complete defense to any civil cause of action brought under  
5 this chapter.

6 §20-2A-13.

7 Any individual who knowingly and intentionally  
8 possesses, installs, operates, or monitors an electronic,  
9 mechanical, or other device in violation of this chapter shall  
10 be guilty of a Class C felony.

11 §20-2A-14.

12 (a) This chapter does not apply to an individual who  
13 is a subscriber to a ~~telephone~~ service operated by a  
14 communication common carrier or communications service  
15 provider and who intercepts a communication on a telephone or  
16 similarly used device to which he or she subscribes.

17 (b) This chapter does not apply to individuals who  
18 are members of the household of the subscriber who intercepts  
19 communications on a telephone or similarly used device in the  
20 home of the subscriber.

21 §20-2A-15.

22 The secretary may issue an administrative subpoena  
23 to a communication common carrier or a ~~provider of~~  
24 ~~communication services~~ communications service provider to  
25 compel production of business records if the records requested  
26 satisfy both of the following:

1           (1) Are local or long-distance toll records or  
2 subscriber information.

3           (2) Are material to an active investigation of a  
4 felony violation of the Alabama Uniform Controlled Substance  
5 Act, as provided in Chapter 2, being conducted by a special  
6 agent of the agency.

7           Section 3. Although this bill would have as its  
8 purpose or effect the requirement of a new or increased  
9 expenditure of local funds, the bill is excluded from further  
10 requirements and application under Amendment 621, as amended  
11 by Amendment 890, now appearing as Section 111.05 of the  
12 Official Recompilation of the Constitution of Alabama of 1901,  
13 as amended, because the bill defines a new crime or amends the  
14 definition of an existing crime.

15           Section 4. This act shall become effective on  
16 February 1, 2023, following its passage and approval by the  
17 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Judiciary ..... 11-JAN-22

Read for the second time and placed  
on the calendar 1 amendment ..... 02-FEB-22

Read for the third time and passed  
as amended..... 09-FEB-22

Yeas 84, Nays 7, Abstains 11

Jeff Woodard  
Clerk