

SB103 ENGROSSED



1 0H3MGC-2
2 By Senators Orr, Chesteen, Price, Williams, Gudger, Barfoot,
3 Elliott, Albritton, Roberts, Kelley, Jones, Stutts, Bell,
4 Butler, Singleton, Coleman, Coleman-Madison
5 RFD: Judiciary
6 First Read: 21-Mar-23
7
8 2023 Regular Session



SB103 Engrossed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to the State Ethics Commission; to require the commission to provide an alleged violator with certain exculpatory evidence.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1.

(a) Notwithstanding any other provision of law, prior to any hearing before the State Ethics Commission pursuant to Section 36-25-4(e), Code of Alabama 1975, for a violation of Chapter 25 of Title 36 or Chapter 5A of Title 17, Code of Alabama 1975, or issuance of an order for administrative resolution of an alleged violation of Chapter 25 of Title 36 or Chapter 5A of Title 17, Code of Alabama 1975, whether by issuing an order or levying a fee or penalty, a lawyer or prosecutor assigned to, or employed by, the State Ethics Commission shall provide to the person alleged to have violated the law both of the following:

(1) All discovery and exculpatory evidence pursuant to Rule 16.1 of the Alabama Rules of Criminal Procedure and as otherwise provided by law.

(2) If the allegation was initiated by a complaint made



SB103 Engrossed

29 to the commission pursuant to Section 36-25-4(d), Code of
30 Alabama 1975, the identity of the complainant.

31 (b) Upon referral of a case by the State Ethics
32 Commission, to the Attorney General or to a District Attorney,
33 all evidence obtained by, or in the possession of, the State
34 Ethics Commission shall be provided upon referral to the
35 prosecuting entity and may be disclosed pursuant to the
36 Alabama Rules of Criminal Procedure or as otherwise provided
37 by law.

38 Section 2. This act shall become effective on the first
39 day of the third month following its passage and approval by
40 the Governor, or its otherwise becoming law.

SB103 Engrossed



41
42
43 Senate

44 Read for the first time and referred21-Mar-23
45 to the Senate committee on Judiciary

46
47 Read for the second time and placed13-Apr-23
48 on the calendar:

49 0 amendments

50
51 Read for the third time and passed25-Apr-23
52 as amended

53 Yeas 31

54 Nays 0

55 Abstains 0

56
57
58
59
60

Patrick Harris,
Secretary.