

SB223 INTRODUCED



1 D9DQTT-1

2 By Senators Figures, Weaver, Coleman-Madison, Singleton,

3 Givhan, Stutts, Coleman, Smitherman, Hatcher

4 RFD: Judiciary

5 First Read: 19-Apr-23

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SYNOPSIS:

This bill would include a child witness in the definition of "a physical offense, sexual offense, or violent offense" for the purpose of the Child Physical and Sexual Abuse Victim Protection Act.

A BILL
TO BE ENTITLED
AN ACT

Relating to criminal procedure; to amend Section 15-25-39, Code of Alabama 1975, to further provide for the definitions of the Child Physical and Sexual Abuse Victim Protection Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-25-39, Code of Alabama 1975, is amended to read as follows:

"§15-25-39

For purposes of this article, "a physical offense, sexual offense, or violent offense" is defined to include the following crimes, when one or more of the victims or witnesses is a child under 12 years of age or is a protected person as provided in Section 15-25-1:

- (1) A sex offense pursuant to Section 15-20A-5.



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29 (2) A violent offense pursuant to Section 12-25-32.

30 (3) Aggravated child abuse as provided in Section
31 26-15-3.1.

32 (4) Assault in any degree.

33 (5) Any offense involving domestic violence, elder
34 abuse, or a violation of a protection order.

35 (6) Any attempt to commit any of the offenses listed in
36 subdivisions (1) to (5), inclusive."

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