

HB34 INTRODUCED



1 HB34
2 YJI4N6N-1
3 By Representative Bolton
4 RFD: Public Safety and Homeland Security
5 First Read: 04-Feb-25
6 PFD: 29-Aug-24



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SYNOPSIS:

Under existing law, it is a crime to give a false name or address to a law enforcement officer in the course of the officer's official duties with the intent to mislead the officer. A violation is a Class A misdemeanor.

This bill would also include within the offense giving a false date of birth to a law enforcement officer under the same circumstances. A violation would be subject to the same criminal penalties.

Under existing law, certain designated law enforcement officers including, constables, deputy sheriffs, and police officers in their counties and state troopers, may stop a person if the officer reasonably suspects the person is committing, has committed, or is about to commit a felony or other public offense and demand the person's name, address, and an explanation of his or her actions. No penalty is provided for failure to comply with a lawful request.

This bill would further authorize a designated law enforcement officer to demand a person's date of birth under the same circumstances.

This bill would also further provide that a person who knowingly refuses to comply with a lawful request for the information requested pursuant to a



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29 lawful stop would be guilty of a Class C misdemeanor.

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A BILL

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TO BE ENTITLED

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AN ACT

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36 Relating to law enforcement; to amend Section
37 13A-9-18.1, Code of Alabama 1975; to further provide that a
38 person who gives a false date of birth to a law enforcement
39 officer in the course of the officer's official duties would
40 be in violation of the statute subject to the existing
41 penalties; and to amend Section 15-5-30, Code of Alabama 1975,
42 to further provide that a person subject to a lawful stop by
43 certain designated law enforcement officers under certain
44 conditions may be requested to give his or her date of birth
45 in addition to his or her name, address, and an explanation of
46 his or her actions; and to further provide for criminal
47 penalties if the person refuses to comply with a lawful
48 request pursuant to Section 15-5-30.

49 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

50 Section 1. Sections 13A-9-18.1 and 15-5-30, Code of
51 Alabama 1975, are amended to read as follows:

52 "§13A-9-18.1

53 (a) A person commits the crime of giving ~~a false name~~
54 ~~or address~~ information to a law enforcement officer if the
55 person gives a false name ~~or,~~ address, or date of birth to a
56 law enforcement officer in the course of the officer's



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57 official duties with intent to mislead the officer.

58 (b) Giving ~~a false name or address~~ information to a law
59 enforcement officer is a Class A misdemeanor."

60 "§15-5-30

61 (a) A sheriff or ~~other officer acting as sheriff, his~~ a
62 deputy sheriff, or any constable, acting within their
63 respective counties, any ~~marshal, deputy marshal or policeman~~
64 police officer of any incorporated city or town within the
65 limits of the county or any ~~highway patrolman or~~ state trooper
66 or any other sworn officer of the Alabama State Law
67 Enforcement Agency may stop any person ~~abroad~~ in a public
68 place whom he or she reasonably suspects is committing, has
69 committed, or is about to commit a felony or other public
70 offense and may demand ~~of him his~~ that the person give his or
71 her name, address, date of birth, and an explanation of his or
72 her actions.

73 (b) A person who knowingly refuses to give the law
74 enforcement officer his or her name, address, date of birth,
75 and an explanation of his or her actions pursuant to a lawful
76 demand pursuant to subsection (a) is guilty of a Class C
77 misdemeanor punishable as provided by law."

78 Section 2. This act shall become effective on October
79 1, 2025.