HB41
198432-7
By Representatives Stringer and Drummond
RFD: Judiciary
First Read: 05-MAR-19
PFD: 02/14/2019
ENROLLED, An Act,

Relating to alternative nicotine products; to create
the Stringer-Dumond Vaping Act; to amend Sections 28-11-2,
28-11-4, 28-11-7, 28-11-8, 28-11-9, 28-11-11, 28-11-13,
13A-12-3, and 13A-12-3.1, Code of Alabama 1975, to require the
Alabama Alcoholic Beverage Control Board to regulate retail
sales of alternative nicotine devices like sales of tobacco
products, and to prohibit the sale or transfer of alternative
nicotine products to minors; to add Sections 28-11-16,
28-11-17, 28-11-18, 28-11-19, and 13A-12-3.8 to the Code of
Alabama 1975, to prohibit retailers and manufacturers of
alternative nicotine products and electronic nicotine delivery
systems from advertising the products near schools; to
prohibit specialty retailers of electronic nicotine delivery
systems from opening new places of business near schools,
child care centers, churches, and other facilities; to prevent
retailers and manufacturers of alternative nicotine products
or electronic nicotine delivery systems from advertising those
products as tobacco cessation devices, as a healthy
alternative to smoking, or as being available in any variety
of flavors except for tobacco, mint, or menthol; to require
retailers of alternative nicotine products or electronic
nicotine delivery systems to obtain a tobacco permit, to
comply with FDA regulations governing the retail sale of
alternative nicotine products and electronic nicotine delivery systems, and to post warning signs in their stores regarding the dangers of nicotine use and potential risks associated with vaping; to prohibit the sale or transfer of alternative nicotine products or electronic nicotine delivery systems to minors; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Stringer-Drummond Vaping Act.


"§28—11—2.

"For purposes of this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

"(1) ALTERNATIVE NICOTINE PRODUCT. The term alternative nicotine product includes electronic cigarettes any product that consists of or contains nicotine that can be
ingested into the body by chewing, smoking, absorbing,
dissolving, inhaling, snorting, sniffing, or by any other
means. The term does not include a tobacco product, electronic
nicotine delivery system, or any product that has been
approved by the United States Food and Drug Administration for
sale as a tobacco cessation product or for other medical
purposes and that is being marketed and sold solely for that
purpose.

"An electronic cigarette is an electronic product or
device that produces a vapor that delivers nicotine or other
substances to the person inhaling from the device to simulate
smoking, and is likely to be offered to, or purchased by,
consumers as an electronic cigarette, electronic cigar,
electronic cigarillo, or electronic pipe.

"The term electronic cigarette does not include any
of the following:

"1. A cigarette or other tobacco product as defined
in this section.

"2. A product that is a drug under 21 U.S.C.
§321(g)(1).

"3. A product that is a device under 21 U.S.C.
§321(h).

"4. A combination product that is a device under 21
U.S.C. §355(g)."
"The term alternative nicotine product does not include the following:

1. A cigarette or other tobacco product as defined in this section.


3. A product that is a device under 21 U.S.C. §321(h).


(2) BOARD. The Alabama Alcoholic Beverage Control Board.

(3) CHILD-RESISTANT PACKAGING. Liquid nicotine container packaging meeting the requirements of 15 U.S.C. §1472a.

(4) DISTRIBUTION. To sell, barter, exchange, or give tobacco or tobacco products for promotional purposes or for gratis.

(5) ELECTRONIC NICOTINE DELIVERY SYSTEM. The term electronic nicotine delivery system includes any vaporizing device that produces a vapor that delivers nicotine or other substance to the person inhaling from the device to simulate smoking, and includes, but is not limited to, products that may be offered to, purchased by, or marketed to consumers as an electronic cigarette, electronic cigar, electronic
cigarillo, electronic pipe, electronic hookah, vape pen, vape tool, vaping device, or any variation of these terms. The term also includes any liquid intended to be vaporized in any device included in this subdivision, regardless of whether or not the liquid contains nicotine.

"(6) ELECTRONIC NICOTINE DELIVERY SYSTEM RETAILER. Any retail business which offers for sale electronic nicotine delivery systems.

"(7) FDA. The United States Food and Drug Administration.

"(8) LIQUID NICOTINE CONTAINER. A bottle or other container of a liquid product that is intended to be vaporized and inhaled using an electronic nicotine delivery system. The term does not include a container holding liquid that is intended for use in a vapor product if the container is pre-filled and sealed by the manufacturer and is not intended to be opened by the consumer.

"(9) MINOR. Any person under the age of 19 years.

"(10) PERSON. Any natural person, firm, partnership, association, company, corporation, or other entity. Person does not include a manufacturer or wholesaler of tobacco or tobacco products nor does it include employees of the permit holder.

"(11) PROOF OF IDENTIFICATION. Any one or more of the following documents used for purposes of determining the
age of a person purchasing, attempting to purchase, or receiving tobacco or tobacco products, electronic nicotine delivery systems, or alternative nicotine products:

"a. A valid driver's license issued by any state and bearing the photograph of the presenting person.

"b. United States Uniform Service Identification.

"c. A valid passport.

"d. A valid identification card issued by any state agency for the purpose of identification and bearing the photograph and date of birth of the presenting individual.

"e. For legal mail order purposes only a valid signed certification that will verify the individual is 19 years of age or older.

"+#+(12) RESPONSIBLE VENDOR PROGRAM. A program administered by the board to encourage and support vendors in training employees in legal and responsible sales practices.

"+#+(13) SAMPLER. Any business or person who distributes tobacco or tobacco products for promotional purposes.

"+#+(14) SELF-SERVICE DISPLAY. A display that contains tobacco or tobacco products and is located in an area openly accessible to purchasers at retail and from which such purchasers can readily access tobacco or tobacco products without the assistance of the tobacco permit holder or an employee of the permit holder. A display case that holds
tobacco or tobacco products behind locked doors does not constitute a self-service display.

"(15) SPECIALTY RETAILER OF ELECTRONIC NICOTINE DELIVERY SYSTEMS. A business establishment at which any of the following are true:

"a. The sale of electronic nicotine delivery systems accounts for more than 35 percent of the total quarterly gross receipts for the establishment.

"b. Twenty percent or more of the public retail floor space is allocated for the offering, displaying, or storage of electronic nicotine delivery systems.

"c. Twenty percent or more of the total shelf space, including retail floor shelf space and shelf space in areas accessible only to employees, is allocated for the offering, displaying, or storage of electronic nicotine delivery systems.

"d. The retail space features a self-service display for electronic nicotine delivery systems.

"e. Samples of electronic nicotine delivery systems are offered to customers.

"f. Liquids intended to be vaporized through the use of an electronic nicotine delivery system are produced at the facility or are produced by the owner of the establishment or any of its agents or employees for sale at the establishment.
TOBACCO or TOBACCO PRODUCTS. Tobacco or any product containing tobacco, including, but not limited to, the following:

a. Cigarettes.
b. Cigars.
c. Chewing tobacco.
d. Snuff.
e. Pipe tobacco.
f. Smokeless tobacco.

TOBACCO PERMIT. A permit issued by the board to allow the permit holder to engage in the distribution of tobacco or tobacco products, electronic nicotine delivery systems, or alternative nicotine products at the location identified in the permit.

TOBACCO SPECIALTY STORE. A business that derives at least 75 percent of its revenue from tobacco or tobacco products.

§28-11-4.

Pursuant to its rule-making authority, the board may promulgate rules and regulations that have the full force and effect of law, for purposes of but not limited to the following:

(1) Establishing permits for the distribution of tobacco or tobacco products, electronic nicotine delivery systems, and alternative nicotine products.
(2) Preventing the distribution of tobacco, tobacco products, electronic nicotine delivery systems, and alternative nicotine products to minors.

(3) Conducting annual random compliance tests to assure compliance with applicable state and federal laws and guidelines regarding the distribution of tobacco or tobacco products to minors, electronic nicotine delivery systems, and alternative nicotine products. The tests may utilize minors and may involve involving any person or location engaged in the distribution of tobacco may utilize minors.

§28-11-7.

(a) Any person who distributes tobacco, tobacco products, electronic nicotine delivery systems, or alternative nicotine products within this state shall first obtain a permit from the board for each location of distribution. There is no fee for the permit.

(b) Any person who maintains a tobacco or tobacco product, electronic nicotine delivery system, or alternative nicotine product vending machine on his or her property in this state shall first obtain a permit from the board for each machine at each machine location. The permit for each machine shall be posted in a conspicuous place on the machine.

(c) A permit shall be valid only for the location specified in the permit application.
"(d) A permit is not transferable or assignable and shall be renewed annually. Notwithstanding the foregoing, if a location for which a permit is obtained is sold or transferred, the permit shall be transferred to the person obtaining control of the location and shall be valid for 30 days after the transfer during which time a new permit shall be obtained.

"(e) If feasible, the board may, by rule or regulation, establish procedures for the issuance and renewal of permits which combine tobacco permit procedures with the application and licensing procedures for alcoholic beverages.

"528-11-8.

"(a) It shall be unlawful for any person to distribute sell or offer for sale tobacco or tobacco products without first obtaining from the board the appropriate permit. Failure to obtain or display from the board. Selling or offering for sale tobacco or tobacco products without obtaining and displaying a valid permit by January 1, 1998, shall result in issuance of a warning citation. The board shall conduct an information and education campaign by its Responsible Vendor Program to inform distributors of tobacco products at retail or in vending machines or self-service displays of the requirements of this law. Failure to obtain or display a valid permit pursuant to this chapter after January 1, 1998, shall constitute a misdemeanor offense.
"(b) It shall be unlawful for any person to sell or offer for sale electronic nicotine delivery systems or alternative nicotine products without first obtaining the appropriate permit from the board. Failure to obtain or display a valid permit within 90 days after the effective date of the act adding this amendatory language shall result in issuance of a warning citation. The board shall conduct an information and education campaign by its Responsible Vendor Program to inform distributors of alternative nicotine products at retail or in vending machines or self-service displays of the requirements of this law. Selling or offering for sale electronic nicotine delivery systems or alternative nicotine products without obtaining and displaying a valid permit issued pursuant to this chapter within 90 days after the effective date of the act adding this amendatory language shall be a Class C misdemeanor.

"(c) Each violation for selling tobacco, tobacco products, electronic nicotine delivery systems, or alternative nicotine products without a valid permit shall be treated as a separate offense and be punishable as follows: For the first violation by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) and for each subsequent violation by a fine of not less than five hundred dollars ($500) nor more than one thousand five hundred dollars ($1,500)."
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§28-11-9.

(a) Subject to the Alabama Administrative Procedure Act, Chapter 22 of Title 41, the board shall have full and final authority as to the suspension or revocation for cause of any permit issued pursuant to this chapter.

(1) The board may appoint a hearing commission of at least three persons which may do all of the following:

a. Hear and decide all contested applications for permits.

b. Hear and decide all charges against any permit holder or employee of a permit holder for violations of this chapter, the law, or the regulations of the board.

c. Revoke or suspend permits as provided in this chapter.

d. Levy administrative fines upon permit holders or employees of permit holders.

(2) No member of the hearing commission shall participate in the hearing or disposition of any application for a permit or charge against a permit holder or an employee of a permit holder if he or she has an interest therein or was involved in the investigation.

(b) The board, or a hearing commission appointed by the board, upon finding that a permit holder or any partner, member, employee, officer, or director of the permit holder has violated any of the laws of this state or the United States,
States relating to the manufacture, sale, possession, or transportation of tobacco or tobacco products, electronic nicotine delivery systems, or alternative nicotine products, or that the permit holder has acted in a manner prejudicial to the welfare, health, peace, temperance, and safety of the people of the community or of the state, may upon due notice and hearing, levy administrative fines or suspend or revoke the permit issued by the board, or a combination of all three. In all cases where the board or hearing commission shall levy an administrative fine, or suspend or revoke a permit, it shall set forth its findings of fact, the evidence from which the findings of facts are made, and the reasons upon which its actions are based.

"(c) The fines as specified in subsection (e) shall be applicable per each violation. The permit holder or employee shall remit the administrative fine to the board within seven calendar days from the day that the administrative fine is levied. Failure by the permit holder to pay the administrative fine within that time period shall result in an automatic suspension of the permit until the administrative fine is paid.

"(d) The maximum length of suspension of a permit pursuant to this chapter shall be one year. A permit holder shall be ineligible to hold a permit pursuant to this chapter for the location where the violation occurred until the
expiration or removal of the suspension. A permit holder whose permit is revoked by the board or the hearing commission shall be, at the discretion of the board or hearing commission, ineligible to hold a permit pursuant to this chapter until the expiration of one year from the date the permit is revoked at the location where the violation occurred.

"(e) The following administrative fines may be levied for violations of this chapter against valid permit holders or employees, or both:

"(1) Upon conviction for a first violation by the permit holder or an employee of the permit holder, the board or hearing commission may offer the permit holder an opportunity to provide training sessions administered by the Responsible Vendor Program in lieu of an administrative fine upon the permit holder and the employee, if the violation is by an employee, of not more than two hundred dollars ($200).

"(2) Upon conviction of a second violation at the same location within a two-year period, the board or hearing commission may levy an administrative fine upon the permit holder and the employee, if the violation is by an employee, of not more than four hundred dollars ($400).

"(3) Upon conviction of a third or subsequent violation at the same location within a two-year period, the board or hearing commission may levy an administrative fine upon the permit holder and the employee, if the violation is
by an employee, of not more than seven hundred fifty dollars ($750).

"(4) Upon conviction of a fourth or subsequent violation at the same location within a two-year period, the board or hearing commission may levy an administrative fine upon the permit holder and the employee, if the violation is by an employee, of not more than one thousand dollars ($1,000) and may suspend or revoke the permit.

"(f) Before imposition of any administrative fine, the permit holder shall be afforded all procedural rights to due process in addition to those rights guaranteed by the Alabama Administrative Procedure Act, Chapter 22 of Title 41.

"§28—11—11.

"The board shall issue an annual report to the Governor, the Legislature, and the Attorney General concerning compliance by state retail merchants with this chapter. The report shall contain all of the following:

"(1) The total number of retail distributors of tobacco, tobacco products, electronic nicotine delivery systems, and alternative nicotine products categorized by type of retail outlet.

"(2) The number of citations reported to the board, categorized by type of retail outlet.

"(3) The total number of successful compliance checks, categorized by type of retail outlet.
"(4) The extent and nature of organized educational and government activities intended to promote, encourage, or otherwise secure compliance with state and federal laws prohibiting the sale or distribution of tobacco products to minors.

"(5) Information as to the level of access and availability of tobacco products to minors.

"(6) Noted impediments to implementation of this chapter, as well as recommendations for alleviating the same.


"(a) It is unlawful for any minor to purchase, use, possess, or transport tobacco, tobacco product, electronic nicotine delivery systems, or alternative nicotine product within this state. It shall not be unlawful for a minor employee of a tobacco, tobacco product, electronic nicotine delivery system, or alternative nicotine product permit holder to handle, transport, or sell tobacco, tobacco product, electronic nicotine delivery systems, or alternative tobacco product if the minor employee is acting within the line and scope of employment and the permit holder, or an employee of the permit holder who is 21 years of age or older, is present.

"(b) It is unlawful for any minor to present or offer to another person proof of identification which is false, fraudulent, or not actually his or her own proof of identification in order to buy, receive, or otherwise obtain,
or attempt to buy, receive, or otherwise obtain, any tobacco, tobacco product, electronic nicotine delivery system, or alternative nicotine product.

"(c) If a minor is cited for any violation under this section, the citing agency shall notify a parent, legal guardian, or legal custodian of the minor unless the minor has been emancipated by court order or operation of law.

§13A-12-3.

"Any person who sells, barters, exchanges or gives to any minor any cigarettes, cigarette tobacco or cigarette paper, or any substitute for either of them tobacco, tobacco products, electronic nicotine delivery systems, or alternative nicotine products shall, on conviction, be fined not less than $10.00 nor more than $50.00 one hundred dollars ($100) nor more than three hundred dollars ($300) and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than 30 days.

§13A-12-3.1.

"For purposes of this article, the following terms shall have the following meanings:

"(1) ALTERNATIVE NICOTINE PRODUCT. The same meaning as in Section 28-11-2.

"(2) BOARD. The same meaning as in Section 28-11-2.

"(3) BRAND STYLE. A variety of cigarettes distinguished by the tobacco used, tar and nicotine content,
flavoring used, size of cigarette, filtration on the cigarette, or packaging.

"(2)(4) CLEAR AND CONSPICUOUS STATEMENT. The A statement that is of sufficient type size to be clearly readable by the recipient of the communication.

"(3)(5) COMMISSIONER. The Commissioner of the Alabama Department of Revenue.

"(4)(6) CONSUMER. An individual who acquires or seeks to acquire cigarettes, or any one or more articles taxed herein, for personal use.

"(5)(7) DELIVERY SALE. Any sale of cigarettes to a consumer within this state, regardless of whether the seller is located in this state, where either of the following are true:

"a. the purchaser submits the order for such sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, facsimile transmission, or the Internet or other online service or.

"b. the cigarettes are delivered by use of the mails or other delivery service. A sale of cigarettes that meets the requirements of this subdivision shall constitute a delivery sale regardless of whether the seller is located within or without the state.
'(8) DELIVERY SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS OR ALTERNATIVE NICOTINE PRODUCTS. Any sale of electronic nicotine delivery systems or alternative nicotine products to a consumer in this state, regardless of whether the seller is located in this state, where either of the following is true:

"a. The purchaser submits the order for the sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, facsimile transmission, or the Internet or other online service.

"b. The electronic nicotine delivery systems or alternative nicotine products are delivered by use of the mails or other delivery service.

'(9) DELIVERY SALES STATUTES. Those provisions contained within Sections 13A-12-3.2, 13A-12-3.3, 13A-12-3.4, 13A-12-3.5, 13A-12-3.6, and 13A-12-3.7.

'(10) DELIVERY SERVICE. Any person, other than a person who makes a delivery sale, who delivers to the consumer the cigarettes sold in a delivery sale.

'(11) DEPARTMENT. The Alabama Department of Revenue.

'(12) ELECTRONIC NICOTINE DELIVERY SYSTEM. The same meaning as in Section 28-11-2.

'(13) GOVERNMENT-ISSUED IDENTIFICATION. A state driver's license, state identification card, passport, a
military identification, or an official naturalization or 
immigration document, including an alien registration 
recipient card or green card, or an immigrant visa.

"(10) (14) LEGAL MINIMUM AGE. 19 years of age.

"(15) LIQUID NICOTINE CONTAINER. The same meaning as 
in Section 28-11-2.

"(11) (16) MAILS or MAILING. The shipment of 
cigarettes through the United States Postal Service.

"(12) (17) OUT-OF-STATE SALE. A sale of cigarettes to 
a consumer located outside of this state where the consumer 
submits the order for such sale by means of a telephonic or 
other method of voice transmission, the mails or any other 
delivery service, facsimile transmission, or the Internet or 
other online service, and where the cigarettes are delivered 
by use of the mails or other delivery service.

"(13) (18) PERSON. Any individual, corporation, 
partnership, limited liability company, association, or other 
organization that engages in any for-profit or not-for-profit 
activities.

"(14) (19) SHIPPING DOCUMENTS. Bills of lading, air 
bills, or any other documents used to evidence the undertaking 
by a delivery service to deliver letters, packages, or other 
containers.
"{(15) (20) SHIPPING PACKAGE. A container in which packs or cartons of cigarettes are shipped in connection with a delivery sale.

"{(16) (21) STAMP or STAMPS. The stamp or stamps by the use of which the tax levied under this article is paid and shall be designated Alabama Revenue Stamps.

"{(17) (22) WITHIN THIS STATE. Within the exterior limits of the State of Alabama."

Section 3. Sections 28-11-16, 28-11-17, 28-11-18, 28-11-19, and 13A-12-3.8 are added to the Code of Alabama 1975, to read as follows:

§28-11-16.

(a)(1) A retailer or manufacturer of electronic nicotine delivery systems or alternative nicotine products may not advertise an electronic nicotine delivery system or an alternative nicotine product in any of the following ways:

a. As a tobacco cessation product.

b. As a healthier alternative to smoking.

c. As available for purchase in any variety of flavors other than tobacco, mint, or menthol on any outdoor billboard.

d. On any outdoor billboard located within 1,000 feet of any public or private K-12 school or public playground.
(2) Paragraphs a. and b. are not applicable to products that have received an order from the FDA permitting the product to be marketed as a modified risk tobacco product, and are marketed in accordance with that order.

(b)(1) A violation of subsection (a) shall result in a one hundred dollar ($100) fine for the first occurrence.

(2) A second or subsequent violation of subsection (a) shall result in a five hundred dollar ($500) fine per occurrence.

(3) Each day a violation of subsection (a) persists shall constitute a separate and subsequent violation.

§28-11-17.

(a) It is unlawful to distribute, sell, or offer for sale any electronic nicotine delivery system or alternative nicotine product that cannot be legally marketed under federal law or FDA rule, regulation, or guidance.

(b) Each violation of subsection (a) shall be a Class C misdemeanor.

§28-11-18.

(a) All liquid nicotine containers offered for sale that are intended to be vaporized in an electronic nicotine delivery system shall be contained in child-resistant packaging.

(b) A specialty retailer of electronic nicotine delivery systems shall display in a prominent area of the
retail store near the point of sale a sign which contains the following statements:

(1) "THE USE OF SOME VAPING DEVICES MAY INCREASE YOUR RISK OF EXPOSURE TO POTENTIALLY TOXIC LEVELS OF HEAVY METALS SUCH AS LEAD, CHROMIUM, AND NICKEL."

(2) "WARNING: PRODUCTS OFFERED FOR SALE IN THIS STORE CONTAIN NICOTINE UNLESS OTHERWISE MARKED. NICOTINE IS A HIGHLY ADDICTIVE CHEMICAL WHICH CAN HARM BRAIN DEVELOPMENT IN CHILDREN AND ADOLESCENTS AND WHICH POSES SERIOUS HEALTH RISKS TO PREGNANT WOMEN AND THEIR BABIES."

§28-11-19.

(a) Beginning January 1, 2020, a county may not issue a license to conduct business as a specialty retailer of electronic nicotine delivery systems if the retail business is located within 1,000 feet of any of the following:

(1) A public or private K-12 school.

(2) A licensed child-care facility or preschool.

(3) A church.

(4) A public library.

(5) A public playground.

(6) A public park.

(7) A youth center or other space used primarily for youth oriented activities.

(b) This section does not apply to a specialty retailer of electronic nicotine delivery systems that obtained
a business license at a location prohibited in subsection (a) prior to January 1, 2020, that has conducted business as a specialty retailer of electronic nicotine delivery systems at that location for at least 18 consecutive months, and that remains in the same location.

§13A-12-3.8.

(a) No person may conduct a delivery sale of electronic nicotine delivery systems or alternative nicotine products unless the seller has obtained a valid permit to conduct delivery sales of electronic nicotine delivery systems or alternative nicotine products issued by the board pursuant to Section 28-11-4.

(b) No person may conduct a delivery sale of electronic nicotine delivery systems or alternative nicotine products to a person under the legal minimum age.

(c) A person holding a permit to conduct delivery sales of electronic nicotine delivery systems or alternative nicotine products may not accept a purchase or order from any person without first obtaining the full name, birth date, and residential address of that person and verifying this information through an independently operated third-party database or aggregate of databases, which includes data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification and authentication.
(d) A person holding a permit to conduct delivery sales of electronic nicotine delivery systems or alternative nicotine products shall accept payment only through a credit or debit card issued in the purchaser's own name.

(e) Each violation for conducting a delivery sale of electronic nicotine delivery systems or alternative nicotine products without a valid permit or otherwise in violation of this section shall be treated as a separate offense and be punishable as follows: For the first violation by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) and for each subsequent violation by a fine of not less than five hundred dollars ($500) nor more than one thousand five hundred dollars ($1,500).

Section 4. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, because the bill defines a new crime or amends the definition of an existing crime.

Section 5. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.
House of Representatives

I hereby certify that the within Act originated in and was passed by the House 04-APR-19, as amended.

Jeff Woodard
Clerk

Approved 5/23/19

GOVERNOR

Alabama Secretary Of State

Act Num....: 2019-233
Bill Num....: H-41

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HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 41

YEAS 94 NAYS 0

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees __________________________

SENATE ACTION

DATE: 20_

RD 1 RFD

This Bill was referred to the Standing Committee of the Senate on _______ and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) _ w/sub ___ by a vote of yeas _ nays _ abstain __________

this ___ day of ___, 20___

Chairperson

CONFERENCE COMMITTEE

RE-REFERRED RE-COMMITTED

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB ___

YEAS ___ NAYS ___

PATRICK HARRIS, Secretary