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3 HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HB34
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8 SYNOPSIS: Under existing law, there is no specific
9 crime designated continuous sexual abuse of another
10 person.

11 This bill would create the crime of
12 continuous sexual abuse of another person when the
13 abused person is under the age of 12 and would
14 provide penalties for the crime.

15 Amendment 621 of the Constitution of Alabama
16 of 1901, now appearing as Section 111.05 of the
17 Official Recompilation of the Constitution of
18 Alabama of 1901, as amended, prohibits a general
19 law whose purpose or effect would be to require a
20 new or increased expenditure of local funds from
21 becoming effective with regard to a local
22 governmental entity without enactment by a 2/3 vote
23 unless: it comes within one of a number of
24 specified exceptions; it is approved by the
25 affected entity; or the Legislature appropriates
26 funds, or provides a local source of revenue, to
27 the entity for the purpose.

1 The purpose or effect of this bill would be
2 to require a new or increased expenditure of local
3 funds within the meaning of the amendment. However,
4 the bill does not require approval of a local
5 governmental entity or enactment by a 2/3 vote to
6 become effective because it comes within one of the
7 specified exceptions contained in the amendment.

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9 A BILL
10 TO BE ENTITLED
11 AN ACT

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13 Relating to crimes and offenses; to create the crime
14 of continuous sexual abuse of another person and to provide
15 for penalties; and in connection therewith would have as its
16 purpose or effect the requirement of a new or increased
17 expenditure of local funds within the meaning of Amendment 621
18 of the Constitution of Alabama of 1901, now appearing as
19 Section 111.05 of the Official Recompilation of the
20 Constitution of Alabama of 1901, as amended.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) A person commits the crime of
23 continuous sexual abuse when the person intentionally engages
24 in three or more acts of sexual conduct with another person
25 under the age of 12 years.

1 (b) The term "sexual conduct" includes any of those
2 sexual acts defined under Sections 13A-6-61, 13A-6-63,
3 13A-6-65.1, and 13A-6-69.1 of the Code of Alabama 1975.

4 (c) Continuous sexual abuse is a Class A felony.

5 Section 2. Although this bill would have as its
6 purpose or effect the requirement of a new or increased
7 expenditure of local funds, the bill is excluded from further
8 requirements and application under Amendment 621, now
9 appearing as Section 111.05 of the Official Recompilation of
10 the Constitution of Alabama of 1901, as amended, because the
11 bill defines a new crime or amends the definition of an
12 existing crime.

13 Section 3. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.