

1 SB297
2 158315-6
3 By Senators Figures, Coleman, Irons, Dunn, Pittman, Brewbaker,
4 Hightower, Glover, Beasley, Smitherman, Waggoner, Singleton,
5 Marsh, Bussman, Ward, Reed, Holley, Whatley, Dial, Orr, Taylor
6 and Allen
7 RFD: Judiciary
8 First Read: 30-JAN-14

1 SB297

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4 ENROLLED, An Act,

5 To amend Section 15-20A-17, Code of Alabama 1975; to
6 provide that it is a Class C felony for an adult sex offender,
7 after having been convicted of a sex offense involving a
8 minor, to enter onto the property of a K-12 school while
9 school is in session or attend any K-12 school activity
10 without first notifying and reporting to the principal and
11 complying with school rules regarding the visit; and in
12 connection therewith would have as its purpose or effect the
13 requirement of a new or increased expenditure of local funds
14 within the meaning of Amendment 621 of the Constitution of
15 Alabama of 1901, now appearing as Section 111.05 of the
16 Official Recompilation of the Constitution of Alabama of 1901,
17 as amended.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 15-20A-17 of the Code of Alabama
20 1975, is amended to read as follows:

21 "§15-20A-17.

22 "(a) (1) No adult sex offender, after having been
23 convicted of a sex offense involving a minor, shall loiter on
24 or within 500 feet of the property line of any property on
25 which there is a school, childcare facility, playground, park,

1 athletic field or facility, school bus stop, college or
2 university, or any other business or facility having a
3 principal purpose of caring for, educating, or entertaining
4 minors.

5 "~~(b)~~ (2) Under this ~~section~~ subsection, loiter means
6 to enter or remain on property while having no legitimate
7 purpose or, if a legitimate purpose exists, remaining on that
8 property beyond the time necessary to fulfill that purpose. An
9 adult sex offender does not violate this ~~section~~ subsection
10 unless he or she has first been asked to leave a prohibited
11 location by a person authorized to exclude the adult sex
12 offender from the premises. An authorized person includes, but
13 is not limited to, any law enforcement officer, security
14 officer, any owner or manager of the premises, a principal,
15 teacher, or school bus driver if the premises is a school,
16 childcare facility, or bus stop, a coach, if the premises is
17 an athletic field or facility, or any person designated with
18 that authority.

19 "~~(c)~~ (3) For purposes of this ~~section~~ subsection, a
20 school bus stop is any location where a motor vehicle owned or
21 operated by or on behalf of a public or private school stops
22 on a regular basis for the purpose of transporting children to
23 and from school.

24 "(b) (1) No adult sex offender, after having been
25 convicted of a sex offense involving a minor, shall enter onto

1 the property of a K-12 school while school is in session or
2 attend any K-12 school activity unless the adult sex offender
3 does all of the following:

4 "a. Notifies the principal of the school, or his or
5 her designee, before entering onto the property or attending
6 the K-12 school activity.

7 "b. Immediately reports to the principal of the
8 school, or his or her designee, upon entering the property or
9 arriving at the K-12 school activity.

10 "c. Complies with any procedures established by the
11 school to monitor the whereabouts of the sex offender for the
12 duration of his or her presence on the school property or
13 attendance at the K-12 school activity. For a public K-12
14 school, the local school board shall adopt a policy to
15 effectuate this section.

16 "(2) Procedures established to effectuate this
17 subsection are limited to rules that allow the principal of
18 the school, or his or her designee, to discreetly monitor the
19 adult sex offender.

20 "(3) For the purposes of this subsection, a K-12
21 school activity is an activity sponsored by a school in which
22 students in grades K-12 are the primary intended participants
23 or for whom students in grades K-12 are the primary intended
24 audience including, but not limited to, school instructional

1 time, after school care, after school tutoring, athletic
2 events, field trips, school plays, or assemblies.

3 ~~"(d)(c)~~ Any person who violates ~~this section~~
4 subsection (a) or subsection (b) shall be guilty of a Class C
5 felony."

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

14 Section 3. This act shall become effective
15 immediately following its passage and approval by the
16 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB297

Senate 20-FEB-14

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 02-APR-14

By: Senator Figures