

ACT #2016-371

1 HB529
2 177309-4
3 By Representatives Crawford, McCutcheon, Greer, Williams (JW),
4 Wilcox, Ainsworth, Sessions and Garrett
5 RFD: Judiciary
6 First Read: 12-APR-16



1
2 ENROLLED, An Act,

3 To amend Section 13A-11-163, Code of Alabama 1975,
4 relating to defamation; to require that the publishing or
5 other dissemination of a false allegation be made with "actual
6 malice"; and in connection therewith would have as its purpose
7 or effect the requirement of a new or increased expenditure of
8 local funds within the meaning of Amendment 621 of the
9 Constitution of Alabama of 1901, now appearing as Section
10 111.05 of the Official Recompilation of the Constitution of
11 Alabama of 1901, as amended.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Section 13A-11-163, Code of Alabama 1975,
14 is amended to read as follows:

15 "§13A-11-163.

16 "Any person who ~~writes, prints or speaks of and~~
17 ~~concerning any woman, falsely imputing to her a want of~~
18 ~~chastity; and any person who speaks, writes or prints of and~~
19 ~~concerning another, with knowledge that a statement is false~~
20 ~~or with reckless disregard of whether the statement is false~~
21 ~~or not, publishes or otherwise disseminates~~ any accusation
22 ~~falsely and maliciously importing against a private citizen,~~
23 ~~not currently holding or running for public office, which~~
24 ~~falsely and maliciously imports~~ the commission by such person
25 of a felony or any other indictable offense involving moral

1 ~~turpitude shall, on conviction, be punished by fine not~~
2 ~~exceeding \$500.00 and imprisonment in the county jail, or~~
3 ~~sentenced to hard labor for the county, not exceeding six~~
4 ~~months, one or both, at the discretion of the jury~~ be guilty
5 of a Class B misdemeanor."

6 Section 2. The provisions of this act are severable.
7 If any part of this act is declared invalid or
8 unconstitutional, that declaration shall not affect the part
9 which remains.

10 Section 3. Although this bill would have as its
11 purpose or effect the requirement of a new or increased
12 expenditure of local funds, the bill is excluded from further
13 requirements and application under Amendment 621, now
14 appearing as Section 111.05 of the Official ReCompilation of
15 the Constitution of Alabama of 1901, as amended, because the
16 bill defines a new crime or amends the definition of an
17 existing crime.

18 Section 4. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.

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2
3
4 Speaker of the House of Representatives

5
6 Kay Ivey
President and Presiding Officer of the Senate

7 House of Representatives

8 I hereby certify that the within Act originated in
9 and was passed by the House 26-APR-16, as amended.
10

11 Jeff Woodard
12 Clerk
13

14
15
16 Senate

04-MAY-16

Passed
17

APPROVED

TIME

5-11-2016
3:30 PM
Robert Bentley
GOVERNOR

Alabama Secretary Of State

Act Num....: 2016-371
Bill Num....: H-529

SPONSOR

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SPONSORS

Cutcheon

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Williams (JW)

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Judy

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. 4

YEAS _____ NAYS _____

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE
NOTICE & PROOF IS ATTACHED
TO THE BILL, H.B. _____
AS REQUIRED IN THE GENERAL
ACTS OF ALABAMA, 1975 ACT NO.
919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees _____

SENATE ACTION

DATE: 4-27 20__

RD 1 RFD

Judy

This Bill was referred to the Standing
Committee of the Senate on Judy

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 8 nays 2 abstain 0

this 23 day of April 2016
Quinn Chairperson

DATE: 5-3 2016

RF FAU RD 2 CAL

DATE: _____ 20__

RE-REFERRED ☐ RE-COMMITTED ☐

Committee _____

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