

1 HB415
2 148955-2
3 By Representative Wood
4 RFD: Judiciary
5 First Read: 07-MAR-13

1 "(2) For a Class B felony, not more than 20 years or
2 less than 2 years.

3 "(3) For a Class C felony, not more than 10 years or
4 less than 1 year and 1 day.

5 "(4) For a Class A felony in which the defendant was
6 wearing a bulletproof vest, body armor, or any other ballistic
7 protection at the time of commission of the felony or wherein
8 a firearm or deadly weapon was used or attempted to be used in
9 the commission of the felony, or for a Class A felony ~~criminal~~
10 sex offense involving a child as defined in Section
11 ~~15-20-21(5)~~ 15-20A-4 (26), not less than 20 years.

12 "(5) For a Class B or C felony in which the
13 defendant was wearing a bulletproof vest, body armor, or any
14 other ballistic protection at the time of commission of the
15 felony or wherein a firearm or deadly weapon was used or
16 attempted to be used in the commission of the felony, or for a
17 Class B felony ~~criminal~~ sex offense involving a child as
18 defined in Section ~~15-20-21(5)~~ 15-20A-4 (26), not less than 10
19 years.

20 "(b) The actual time of release within the
21 limitations established by subsection (a) of this section
22 shall be determined under procedures established elsewhere by
23 law.

24 "(c) In addition to any penalties heretofore or
25 hereafter provided by law, in all cases where an offender is
26 designated as a sexually violent predator pursuant to Section
27 ~~15-20-25.3~~ 15-20A-19, or where an offender is convicted of a

1 Class A felony ~~criminal~~ sex offense involving a child as
2 defined in Section ~~15-20-21(5)~~ 15-20A-4 (26), and is sentenced
3 to a county jail or the Alabama Department of Corrections, the
4 sentencing judge shall impose an additional penalty of not
5 less than 10 years of post-release supervision to be served
6 upon the defendant's release from incarceration.

7 "(d) In addition to any penalties heretofore or
8 hereafter provided by law, in all cases where an offender is
9 convicted of a sex offense pursuant to Section 13A-6-61,
10 13A-6-63, or 13A-6-65.1, when the defendant was 21 years of
11 age or older and the victim was six years of age or less at
12 the time the offense was committed, the defendant shall be
13 sentenced to life imprisonment without the possibility of
14 parole."

15 Section 2. Although this bill would have as its
16 purpose or effect the requirement of a new or increased
17 expenditure of local funds, the bill is excluded from further
18 requirements and application under Amendment 621, now
19 appearing as Section 111.05 of the Official Recompilation of
20 the Constitution of Alabama of 1901, as amended, because the
21 bill defines a new crime or amends the definition of an
22 existing crime.

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Judiciary 07-MAR-13

Read for the second time and placed
on the calendar 1 amendment 20-MAR-13

Read for the third time and passed
as amended..... 04-APR-13

Yeas 93, Nays 1, Abstains 1

Jeff Woodard
Clerk