

## A LEGISLATIVE UPDATE FROM THE SOUTHEAST LAW INSTITUTE, INC.

**To:** SLI Supporters  
**From:** A. Eric Johnston  
**Date:** June, 2000  
**Re:** Legislative Report on 2000 Regular Session, Alabama Legislature

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The Southeast Law Institute was privileged to assist Legislators on the drafting of legislation. Except for the bills listed below which were authorizing immoral activity, we drafted or principally assisted in the drafting of all of the following legislation. SLI is not a lobbying organization, but provides legal assistance and representation in the legislative, judicial and public policy arenas.

Regrettably, the control of the Alabama Legislature, principally the Senate, again worked to the disadvantage of legislators who were sponsoring pro-life, pro-family and pro-religion legislation. The following summary will give you an idea of the difficulty in getting good laws passed.

### I. Pro-Life

1. Woman's Right to Know – This bill required abortion clinics to give adequate medical informed consent of women seeking abortions. Clinics do not give information which would normally be given by a physician or medical clinic. The bill passed the House but Senate Judiciary Chairman, Rodger Smitherman, refused to put the bill on the committee agenda and therefore it never reached the Senate.
2. Amendment to Parental Consent Law – This bill would have closed present loopholes in the law, including adequate verification of parental consent, and required judges to obtain better evidence and make better findings if the minor girl chose to seek a judicial by-pass rather than get her parent's consent. The outcome was the same as the Woman's Right to Know bill.
3. Requirement of Physician Admitting Privileges – This bill required physicians who do abortions to have admitting privileges at a local hospital. Most doctors do not have the ability to refer problem abortions and they do not have malpractice insurance. The fate of this bill was the same as the other two.
4. Prohibition of Assisted Suicide – This bill would prohibit anyone from assisting another person to commit suicide. It passed the Senate, but died in the House.

### II. Religious Freedom

1. Criminal Background Checks for Daycare Workers – Last year the Criminal Background Check Bill became law for schools. This year's bill makes the same requirements for daycare centers. Initial efforts were to bring churches under state Department of Human Resource's authority. A compromise resulted permitting church run daycares to comply voluntarily, but if they do not wish to do so, the employees would have the background checks done for themselves. It is important for churches to protect their religious freedom, but in today's culture they must protect themselves from liability, lawsuits, and their children from assault. The bill was passed and this will become law.

### **III. Gambling**

1. Video Poker Bills – Four bills (Birmingham, Macon, Mobile & Greene) were introduced to authorize electronic gambling. The bills would provide more than so-called “video poker”. Two (Birmingham and Macon County) were voted out of the Senate committee, but the gamblers did not have enough votes in the Senate to bring them up. There was no action in the House. All bills were defeated.
2. Constitutional Amendment Prohibiting Gambling Expansion – This bill would amend the Alabama Constitution to allow only the dog tracks and bingo as they exist in the state. It would not have allowed any expansion of any gambling, except completely charitable bingo. The first effort failed in the House Committee. A changed version was re-filed and the House committee boycotted. No Senate action. The bill did not pass.
3. Dog Track Tax Reduction Bill – This bill would have reduced the tax payable from dog track revenues by one-half. This would have resulted in a two and a half million dollar windfall to track owners. It died in the Senate on the last night of the Session.

### **IV. Other Legislation**

1. Amendment to Hate Crimes Law – Political correctness has resulted in new laws relating to so-called “hate crimes”. That is, additional penalties can be administered to a defendant if he was motivated by some prejudice. Alabama has such a law which was passed several years ago and at that time “sexual orientation”, i.e., homosexuality, was excluded from being one of the prejudices. This year, a bill was introduced to add sexual orientation in as a hate crime prejudice. It passed the House and a Senate Committee. It died in the Senate.
2. Abandoned Babies – Newborn babies are often left in trash dumps or discarded without concern for their well being. This bill would permit persons to leave their babies at hospitals and such places anonymously. It will result in saving the lives of some of these babies and it is hoped that such mothers will take advantage of the anonymity and leave their unwanted babies where they may be appropriately ministered to. The bill passed and will become law.
3. Open Alcohol Container in Vehicles – This bill prohibits open containers of alcohol in vehicles, i.e., it would keep people from driving around and drinking. Current law permitted open containers as long as the driver was not drunk. The bill passed and will become law.