

1 HB118  
2 78977-3  
3 By Representative Black (M)  
4 RFD: Judiciary  
5 First Read: 10-JAN-06  
6 PFD: 01/05/2006



1  
2 ENROLLED, An Act,

3 To amend Sections 13A-5-11 and 13A-5-12 of the Code  
4 of Alabama 1975, to increase the maximum amount of fines  
5 authorized to be assessed upon conviction for a felony or  
6 misdemeanor.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Sections 13A-5-11 and 13A-5-12 of the  
9 Code of Alabama 1975, are amended to read as follows:

10 "§13A-5-11.

11 "(a) A sentence to pay a fine for a felony shall be  
12 for a definite amount, fixed by the court, within the  
13 following limitations:

14 "(1) For a Class A felony, not more than ~~\$20,000.00~~  
15 \$50,000;

16 "(2) For a Class B felony, not more than ~~\$10,000.00~~  
17 \$30,000;

18 "(3) For a Class C felony, not more than ~~\$5,000.00~~  
19 \$15,000; or

20 "(4) Any amount not exceeding double the pecuniary  
21 gain to the defendant or loss to the victim caused by the  
22 commission of the offense.

23 "(b) As used in this section, "gain" means the  
24 amount of money or the value of property derived from the  
25 commission of the crime, less the amount of money or the value

1 of property returned to the victim of the crime or seized or  
 2 surrendered to lawful authority prior to the time sentence is  
 3 imposed. "Value" shall be determined by the standards  
 4 established in subdivision (14) of Section 13A-8-1.

5 "(c) The court may conduct a hearing upon the issue  
 6 of defendant's gain or the victim's loss from the crime  
 7 according to procedures established by rule of court.

8 "(d) This section shall not apply if a higher fine  
 9 is otherwise authorized by law for a specific crime.

10 "\$13A-5-12.

11 "(a) A sentence to pay a fine for a misdemeanor  
 12 shall be for a definite amount, fixed by the court, within the  
 13 following limitations:

14 "(1) For a Class A misdemeanor, not more than  
 15 ~~\$2,000.00~~ \$6,000;

16 "(2) For a Class B misdemeanor, not more than  
 17 ~~\$1,000.00~~ \$3,000;

18 "(3) For a Class C misdemeanor, not more than  
 19 \$500.00 ~~\$1,500~~; or

20 "(4) Any amount not exceeding double the pecuniary  
 21 gain to the defendant or loss to the victim caused by the  
 22 commission of the offense.

23 "(b) A sentence to pay a fine for a violation shall  
 24 be for a definite amount, fixed by the court, not to exceed  
 25 \$200.00, ~~six hundred dollars (\$600)~~, or any amount not

1 exceeding double the pecuniary gain to the defendant or loss  
2 to the victim caused by the commission of the offense.

3 "(c) As used in this section, "gain" means the  
4 amount of money or the value of property derived from the  
5 commission of the crime, less the amount of money or the value  
6 of property returned to the victim of the crime or seized or  
7 surrendered to lawful authority prior to the time sentence is  
8 imposed. "Value" shall be determined by the standards  
9 established in subdivision (14) of Section 13A-8-1.

10 "(d) The court may conduct a hearing upon the issue  
11 of defendant's gain or the victim's loss from the crime  
12 according to procedures established by rule of court."

13 Section 2. 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.

*Ray H. Harris*

Speaker of the House of Representatives

*Lucy Baxley*

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 17-JAN-06, as amended.

Greg Pappas  
Clerk

Senate

02-MAR-06

Passed

APPROVED *March 9, 2006*

TIME *9:36 a.m.*

*Bob Riley*  
GOVERNOR

Alabama Secretary of State

Act Num....: 2006-197  
Bill Num...: H-118

Recv'd 03/09/06 11:07amKCW