



# ALABAMA HOUSE MAJORITY CAUCUS

ALABAMA STATE HOUSE

MONTGOMERY, ALABAMA 36130

**NATHANIEL LEDBETTER**  
MAJORITY LEADER

**To: Alabama House Republican Caucus Members**

**From: Majority Leader Nathaniel Ledbetter**

**Date: March 19, 2021**

## HOUSE REPUBLICAN CAUCUS TALKING POINTS MEMO FOR THE WEEK OF MARCH 15 - 19

### Honest Election Reforms

- The Alabama House on Tuesday approved legislation by State Rep. Chris Blackshear (R - Smiths Station) that imposes criminal penalties on Alabamians who cast multiple ballots both within the state and out-of-state, as well.
  - The measure was necessary because Alabama law makes it a crime to cast more than one ballot in the same election within the state, but the statute did not cover individuals who cast an in-state ballot and then travel out-of-state to cast another ballot in the same election.
    - In towns like Phenix City, which borders neighboring Georgia and is included in Blackshear's legislative district, the temptation to cross state lines and cast an additional ballot naturally increases when elections are predicted to be especially close.
      - During the 2018 election, at least six individuals cast a ballot in Alabama and also cast a ballot in another state, according to Blackshear.
  - House Bill 167 makes multi-state balloting a Class A misdemeanor, which is the highest level of misdemeanor and carries penalties of up to one year in jail and a fine of \$6,000.
    - Some House Democrats opposed to the legislation somehow argued with a straight face that limiting Alabamians to only one ballot per election constitutes "voter suppression."

- Similarly, the House on Thursday approved a bill by State Rep. Wes Allen (R - Troy) that bans curbside voting in Alabama and prohibits voting machines from being set up outside a polling place.
  - House Bill 285 resulted from a court fight over the need to open up alternative methods to vote during the COVID-19 pandemic.
    - A federal judge last year ruled that Alabama can't prevent local election officials from offering curbside voting, but the order was later stayed by the U.S. Supreme Court.

### **Anti-Riot and Public Protection Legislation**

- The Alabama House on Thursday approved legislation by State Rep. Allen Treadaway (R - Morris) that creates new crimes and penalties for individuals who incite or participate in riots and also provides additional protections for police officers and other first responders when such violent outbursts take place.
  - Following a political protest in downtown Birmingham during the summer of 2020, a subsequent riot produced widespread damage and burglaries in multiple businesses and the vandalization of public property. Supporters of the violence set up a system that allowed those who organized and participated in the riot to be bailed out in conveyor belt fashion almost as soon as they were arrested.
  - Treadaway, a retired assistant chief in the Birmingham Police Department, soon began drafting legislation that protects Alabama businesses, public property, and first responders from the kind of mob rule that took over the city's streets.
- Among the provisions of House Bill 445 are:
  - A person who is arrested for knowingly participating in a riot, which must include five or more individuals intent upon harming property or causing bodily harm, would be placed on a 24-hour hold before becoming eligible for bail, and, upon conviction, would face a mandatory minimum sentence of 30 days in jail and an order of restitution.
  - A person who knowingly participates in the new crime of "Aggravated Riot," which requires bodily or property damage to result, would also be held for 24 hours before becoming eligible for bail, and, upon conviction of the Class C

felony, would face a mandatory minimum sentence of six months and an order of restitution.

- Those convicted of Riot, Aggravated Riot, or Inciting a Riot would become ineligible to hold public office in Alabama.
- The crimes of Assault Against a First Responder in the first and second degrees are created and those arrested for the offenses are initially held for 24 hours before becoming bail-eligible. A First Degree conviction, which would be a Class B felony, results in at least one year in jail, a \$15,000 fine, and an order of restitution, and a Second Degree conviction, classified as a Class C felony, carries a minimum six-month jail sentence, a \$5,000 fine, and a restitution requirement.
- Any government entity in Alabama that defunds a local law enforcement agency would lose eligibility for any state funding, grants, revenues, or other forms of aid. In addition, any entity that defunds a law enforcement agency would become civilly-liable for any violent crime that result from the action.
- To combat the tactic of blocking Interstates and highways during a political protest, the Class A misdemeanor of unlawful traffic interference would be created and result in being held for 24 hours without bail, a minimum 30-day jail sentence, and an order of restitution. A second conviction raises the crime to a Class D felony.
- To combat the tactic of entering restaurants and businesses and intimidating customers into publicly professing their support for a political cause, the Class A misdemeanor crime of harassment occurs if it takes place in or within 10 feet of a public place of public accommodation. Penalties include being held for 24 hours without bail, a minimum 30-day jail sentence, and an order of restitution. A second conviction raises the crime to a Class D felony.
- An amendment added to the bill by the House Judiciary Committee defines a “riot” as “the assemblage of five or more persons resulting in conduct which creates an immediate danger of damage to property or injury to persons.”

### **“Transgender” Sports Legislation**

- The House on Thursday also approved a measure by Rep. Scott Stadthagen (R - Hartselle) that prohibits biological males from competing against females in K-12 school-sponsored sports. Likewise, those born female may not compete against males.

- House Bill 391 specifically prohibits public schools from competing in events conducted under the authority of any athletic association that allows students to compete in events as anything other than the sex “indicated on a birth certificate.”
- The prohibition applies only to sports, events, and competitions that are exclusively reserved for one sex or another, so participation in co-ed sports would be allowed.
- Although the Alabama High School Sports Association already has a similar policy in place, passage of Stadhagen’s measure would ensure the policy does not change in the future.
- Among the first executive orders issued by Joe Biden after entering office was one that claims students should be allowed to compete in sports based upon their so-called “gender identity,” but that order does not carry the authority of law and simply reflects a continuing culture war being waged by those on the left.

### **“Born Alive” Bill**

- State Rep. Ginny Shaver (R - Leesburg) secured House passage on Thursday for House Bill 237, which requires physicians to work to save the lives of babies who are born alive after an attempted abortion.
  - Doctors who violate the law to be charged with a Class A felony, which carries a prison sentence of 10 to 99 years..
  - Women seeking an abortion would not be liable.
  - Because hospitals are regulated under different parameters, the bill applies only to abortion clinics.