- 1 HB281
- 2 205514-3

3 By Representatives Shaver, Simpson, Robertson, Farley,

4 Treadaway, Pettus, Ball, Standridge, Drake, Marques, Sorrells,

5 Stringer and Brown (C)

- 6 RFD: Judiciary
- 7 First Read: 18-FEB-20

1	ENGROSSED
2	
3	
4	A BILL
5	TO BE ENTITLED
6	AN ACT
7	
8	Relating to crimes and offenses; to amend Section
9	13A-10-52, Code of Alabama 1975, to revise the criminal
10	penalties for violations of fleeing or attempting to elude law
11	enforcement; and in connection therewith would have as its
12	purpose or effect the requirement of a new or increased
13	expenditure of local funds within the meaning of Amendment 621
14	of the Constitution of Alabama of 1901, now appearing as
15	Section 111.05 of the Official Recompilation of the
16	Constitution of Alabama of 1901, as amended.
17	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
18	Section 1. Section 13A-10-52, Code of Alabama 1975,
19	is amended to read as follows:
20	"\$13A-10-52.
21	"(a) It shall be unlawful for a person to
22	intentionally flee by any means from anyone the person knows
23	to be a law enforcement officer if the person knows the
24	officer is attempting to arrest the person.
25	"(b) It shall be unlawful for a person while
26	operating a motor vehicle on a street, road, alley, or highway
27	in this state, to intentionally flee or attempt to elude a law

enforcement officer after having received a signal from the
 officer to bring the vehicle to a stop.

3 "(c) (1) A violation of subsection (a) or (b) is a
4 Class A misdemeanor unless the.

5 "(2) A violation of subsection (a) or (b) is a Class 6 <u>C felony if the</u> flight or attempt to elude <u>results in the</u> 7 <u>offender crossing the lines of the State of Alabama into a</u> 8 <u>neighboring state or</u> causes <del>an actual death or</del> physical injury 9 to <del>innocent bystanders or third parties, in which case the</del> 10 <del>violation shall be a Class C felony. In addition, the</del> <u>any</u> 11 other person.

12 (3) A violation of subsection (a) or (b) is a Class
 13 B felony if the flight or attempt to elude causes serious
 14 physical injury or death to any other person.

15 "(d) Upon conviction of subsection (a) or (b), the 16 court shall order the suspension of the driver's license of 17 the defendant for a period of not less than six months nor 18 more than two years."

Section 2. Although this bill would have as its 19 20 purpose or effect the requirement of a new or increased 21 expenditure of local funds, the bill is excluded from further 22 requirements and application under Amendment 621, now appearing as Section 111.05 of the Official Recompilation of 23 24 the Constitution of Alabama of 1901, as amended, because the 25 bill defines a new crime or amends the definition of an existing crime. 26

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

1	
2	
3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Judiciary 18-FEB-20
8 9 10 11	Read for the second time and placed on the calendar with 1 substitute and 1 amendment 27-FEB-20
12 13 14	Read for the third time and passed as amended 10-MAR-20 Yeas 83, Nays 0, Abstains 22

Jeff Woodard Clerk