HB10

Z0SEWR-2

By Representative Pringle

RFD: Judiciary

First Read: 06-Feb-24

PFD: 01-Dec-23

A BILL

TO BE ENTITLED

AN ACT

Relating to crimes and offenses; to amend Section 13A-6-3, as last amended by Act 2023-387, 2023 Regular Session, Code of Alabama 1975, to further provide for the crime of manslaughter; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-6-3, as last amended by Act 2023-387, 2023 Regular Session, Code of Alabama 1975, is amended to read as follows:

"§13A-6-3

(a) A person commits the crime of manslaughter if he or she does any of the following:

(1) Recklessly causes the death of another person.

(2) Causes the death of another person under circumstances that would constitute murder under Section 13A-6-2; except, that he or she causes the death due to a sudden heat of passion caused by provocation recognized by

law, and before a reasonable time for the passion to cool and for reason to reassert itself.

(3)a. Knowingly sells, furnishes, gives away, delivers, or distributes a controlled substance in violation of Section 13A-12-211, which contains fentanyl, any mixture containing fentanyl, any synthetic controlled substance fentanyl, or any synthetic controlled substance fentanyl analogue as described in Sections 20-2-23 and 20-2-25, and the person to whom the controlled substance is sold, furnished, given, delivered, or distributed dies as a proximate result of the use of the controlled substance; provided, nothing in this subdivision shall be construed to apply to a licensed physician engaged in the practice of medicine, a licensed pharmacist engaged in the practice of pharmacy, or a licensed dentist engaged in the practice of dentistry.

b. It is not a defense to this subdivision that the person who sold, furnished, gave away, delivered, or distributed the controlled substance had no knowledge that the controlled substance contained fentanyl, a mixture containing fentanyl, any synthetic controlled substance fentanyl, or any synthetic controlled substance fentanyl analogue as described in Section 20-2-23 and 20-2-25.

(b) Manslaughter is a Class B felony."

Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Section 111.05 of the Constitution of Alabama of 2022, because the bill defines a new crime or

amends the definition of an existing crime.

Section 3. This act shall become effective immediately.

House of Representatives

Read for the first time and referred 06-Feb-24
to the House of Representatives
committee on Judiciary

Read for the second time and placed 14-Feb-24
on the calendar:
0 amendments

Read for the third time and passed 22-Feb-24
as amended
Yeas 98
Nays 0
Abstains 0

John Treadwell
Clerk