

HB132 ENROLLED



1 HB132
2 5VBSN66-3
3 By Representative Estes
4 RFD: Judiciary
5 First Read: 13-Jan-26
6 PFD: 07-Jan-26



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1 Enrolled, An Act,

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3
4 Relating to crimes and offenses; to amend Section

5 13A-6-21, Code of Alabama 1975; to revise the crime of assault
6 in the second degree.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 13A-6-21, Code of Alabama 1975, is
9 amended to read as follows:

10 "§13A-6-21

11 (a) A person commits the crime of assault in the second
12 degree if the person does any of the following:

13 (1) With intent to cause serious physical injury to
14 another person, he or she causes serious physical injury to
15 any person.

16 (2) With intent to cause physical injury to another
17 person, he or she causes physical injury to any person by
18 means of a deadly weapon or a dangerous instrument.

19 (3) He or she recklessly causes serious physical injury
20 to another person by means of a deadly weapon or a dangerous
21 instrument.

22 (4)a. With intent to prevent a peace officer, as
23 defined in Section 36-21-60, a detention or correctional
24 officer at any municipal or county jail or state penitentiary,
25 emergency medical personnel, a utility worker, or a
26 firefighter from performing a lawful duty, he or she intends
27 to cause physical injury and he or she causes physical injury
28 to any person.



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29 b. For the purpose of this subdivision, a person who is
30 a peace officer who is employed or under contract while off
31 duty by a private or public entity is a peace officer
32 performing a lawful duty when the person is working in his or
33 her approved uniform while off duty with the approval of his
34 or her employing law enforcement agency. ~~Provided, however,~~
35 ~~that nothing~~ Nothing contained in this subdivision shall be
36 deemed or construed as amending, modifying, or extending the
37 classification of a peace officer as ~~off-duty~~ off duty for
38 workers' compensation purposes or any other benefits to which
39 a peace officer may otherwise be entitled to under law when
40 considered ~~on-duty~~ on duty. Additionally, nothing contained in
41 this subdivision shall be deemed or construed as amending,
42 modifying, or extending the tort liability of any municipality
43 as a result of any action or inaction on the part of an
44 off-duty police officer.

45 (5) With intent to cause physical injury to a teacher
46 or to an employee of a public educational institution during
47 or as a result of the performance of his or her duty, he or
48 she causes physical injury to any person.

49 (6) With intent to cause physical injury to a health
50 care worker, including a nurse, physician, technician, or any
51 other person employed by or practicing at a hospital as
52 defined in Section 22-21-20; a county or district health
53 department; a long-term care facility; a physician's office,
54 clinic, or outpatient treatment facility during the course of
55 or as a result of the performance of the duties of the health
56 care worker or other person employed by or practicing at the



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57 hospital; the county or district health department; any health
58 care facility owned or operated by the State of Alabama; the
59 long-term care facility; the physician's office, clinic, or
60 outpatient treatment facility; or a pharmacist, pharmacy
61 technician, pharmacy intern, pharmacy extern, or pharmacy
62 cashier; he or she causes physical injury to any person. This
63 subdivision shall apply to assaults on home health care
64 workers while they are in a private residence. This
65 subdivision shall not apply to assaults by patients who are
66 impaired by medication.

67 (7) For a purpose other than lawful medical or
68 therapeutic treatment, he or she intentionally causes stupor,
69 unconsciousness, or other physical or mental impairment or
70 injury to another person by administering to him or her,
71 without his or her consent, a drug, substance, or preparation
72 capable of producing the intended harm.

73 (8) With intent to cause physical injury to a
74 Department of Human Resources employee or any employee
75 performing social work, as defined in Section 34-30-1, during
76 or as a result of the performance of his or her duty, he or
77 she causes physical injury to any person.

78 (9) With intent to cause physical injury to a letter
79 carrier, as defined in Section 32-6-380, during or as a result
80 of the performance of his or her duty, he or she causes
81 physical injury to any person.

82 (10) With intent to cause physical injury to a child,
83 as defined in Section 16-22A-3, located in an educational
84 environment, as defined in Section 16-22A-3, he or she: (i) is



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85 at least 19 years of age; (ii) is not employed by or enrolled
86 in the entity associated with the educational environment, as
87 defined in Section 16-22A-3; and (iii) causes physical injury
88 to any person.

89 (b) Assault in the second degree is a Class C felony.

90 (c) For the purposes of this section, "utility worker"
91 means any person who is employed by an entity that owns,
92 operates, leases, or controls any plant, property, or facility
93 for the generation, transmission, manufacture, production,
94 supply, distribution, sale, storage, conveyance, delivery, or
95 furnishing to or for the public of electricity, natural or
96 manufactured gas, water, steam, sewage, or telephone service,
97 including two or more utilities rendering joint service."

98 Section 2. This act shall become effective on October
99 1, 2026.



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Speaker of the House of Representatives

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 24-Feb-26, as amended.

John Treadwell
Clerk

Senate **01-Apr-26**

Passed