

SB233 ENROLLED



1 SB233
2 YMRFX6N-3
3 By Senator Bell
4 RFD: Judiciary
5 First Read: 29-Jan-26



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1 Enrolled, An Act,

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4 Relating to crimes and offenses; to amend Section
5 13A-10-52, Code of Alabama 1975; to include various conditions
6 under which the crime of eluding or attempting to elude a law
7 enforcement officer is subject to heightened criminal
8 penalties; and to provide certain mandatory minimum penalties
9 for multiple convictions of eluding or attempting to elude a
10 law enforcement officer.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 13A-10-52, Code of Alabama 1975, is
13 amended to read as follows:

14 "§13A-10-52

15 (a) It shall be unlawful for a person to intentionally
16 flee by any means from anyone the person knows to be a law
17 enforcement officer if the person knows the officer is
18 attempting to arrest the person.

19 (b) It shall be unlawful for a person, while operating
20 a motor vehicle on a street, road, alley, or highway in this
21 state, to intentionally flee or attempt to elude a law
22 enforcement officer after having received a signal from the
23 officer to bring the vehicle to a stop.

24 (c) (1) A violation of subsection (a) ~~or (b)~~ is a Class
25 A misdemeanor ~~Class D felony~~.

26 (2) A violation of subsection (b) is a Class D felony.

27 ~~(2)~~ (3) A violation of subsection (a) or (b) is a Class
28 C felony if any of the following occur:



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29 a. The flight or attempt to elude causes the offender
30 to strike or collide with another vehicle or pedestrian.

31 b. The flight or attempt to elude causes physical
32 injury to any other person.

33 c. The flight or attempt to elude results in the
34 offender crossing the lines of this state into a neighboring
35 state.

36 d. During the flight or attempt to elude, a child under
37 14 years of age is present in the vehicle.

38 e. The flight or attempt to elude occurs while the
39 offender is released on bail, probation, or parole, or while
40 the offender is serving a sentence in a community corrections
41 or work release program.

42 f. At the time of the offense, the offender has a
43 previous conviction for a violation of subsection (a) or (b).

44 ~~(3)~~(4) A violation of subsection (a) or (b) is a Class
45 B felony if ~~either~~ any of the following occur:

46 a. The flight or attempt to elude causes serious
47 physical injury or death to any other person.

48 b. During the flight or attempt to elude, the person
49 exceeds 20 miles per hour over the legal maximum speed limit.

50 c. During the flight or attempt to elude, the offender
51 strikes or attempts to strike a law enforcement officer or a
52 vehicle occupied by a law enforcement officer.

53 d. At the time of the offense, the offender has two or
54 more previous convictions for a violation of subsection (a) or
55 (b).

56 (d) (1) Upon conviction for a violation of subsection



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57 (a) or (b), the court shall order the suspension of the driver
58 license of the defendant for a period of not less than six
59 months nor more than two years.

60 (2) Upon a second conviction for a violation of
61 subsection (a) or (b) within a five year period of time, as
62 measured from the dates of previous arrests for which
63 convictions were obtained to the date of the current arrest
64 for which a conviction is obtained, the court shall sentence
65 the defendant to a minimum of 90 days confinement.

66 (3) Upon a third or subsequent conviction for a
67 violation of subsection (a) or (b) within a seven-year period
68 of time, as measured from the dates of previous arrests for
69 which convictions were obtained to the date of the current
70 arrest for which a conviction is obtained, the court shall
71 sentence the defendant to a minimum of 180 days confinement.

72 (e) It is not a violation of this section for an
73 individual to continue traveling at or below the speed limit,
74 with or without the vehicle's flashers turned on, with the
75 intent of stopping the vehicle at the nearest safe place."

76 Section 2. This act shall become effective on October
77 1, 2026.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 24-Feb-26

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 02-Apr-26

By: Senator Bell