

HB405 INTRODUCED



1 HB405
2 5VHTN63-1
3 By Representative Bracy
4 RFD: Judiciary
5 First Read: 05-Feb-26



SYNOPSIS:

This bill would provide that a person commits the crime of bail jumping in the third degree if he or she violates any condition of his or her court ordered electronic monitoring after having been lawfully released from custody with or without bail.

This bill would also provide criminal penalties for violations.

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to add Section 13A-10-40.1 to the Code of Alabama 1975, to provide for the crime of bail jumping in the third degree; and to provide criminal penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-10-40.1 is added to the Code of Alabama 1975, to read as follows:

§13A-10-40.1

(a) A person commits the crime of bail jumping in the third degree if, having been lawfully released from custody, with or without bail, upon condition that he or she is subject



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29 to electronic monitoring, he or she violates any condition of
30 his or her court ordered electronic monitoring.

31 (b) It is a defense to prosecution under this section
32 that the defendant's violation was unintentional or was
33 unavoidable and due to circumstances beyond his or her
34 control. The burden of injecting the defense of an
35 unintentional violation, or unavoidability and circumstances
36 beyond his or control, is on the defendant.

37 (c) Bail jumping in the third degree is a Class C
38 misdemeanor.

39 Section 2. This act shall become effective on October
40 1, 2026.