

HB230 ENROLLED



1 NOOC8T-3
2 By Representative Simpson
3 RFD: Judiciary
4 First Read: 04-Apr-23
5 2023 Regular Session



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1 Enrolled, An Act,

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5 Relating to crimes and offenses; to add Section

6 13A-6-30 to the Code of Alabama 1975, to create the crime of

7 chemical endangerment of a first responder, to provide for an

8 exception, and establish penalties for violations; and in

9 connection therewith would have as its purpose or effect the

10 requirement of a new or increased expenditure of local funds

11 within the meaning of Section 111.05 of the Constitution of

12 Alabama of 2022.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 13A-6-30 is added to the Code of
15 Alabama 1975, to read as follows:

16 §13A-6-30

17 (a) A person commits the crime of chemical endangerment
18 of a first responder if he or she knowingly, recklessly, or
19 intentionally causes or permits a first responder, as defined
20 in Section 11-98-1, or a coroner or a deputy coroner, to be
21 exposed to, to ingest or inhale, or to have contact with a
22 Schedule I controlled substance, as provided in Section
23 20-2-23, or chemical substance, as defined in Section 26-15-2,
24 or a mixture or combination thereof while performing his or
25 her duties.

26 (b) For the purposes of this section, in addition to
27 the definition contained in Section 13A-1-2, "serious physical
28 injury" includes ingestion, inhalation, or contact with



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29 fentanyl, any mixture containing fentanyl, any synthetic
30 controlled substance fentanyl, and any synthetic controlled
31 substance fentanyl analogue as described in Sections 20-2-23
32 and 20-2-25.

33 (c) (1) Chemical endangerment of a first responder that
34 causes physical injury is a Class C felony.

35 (2) Chemical endangerment of a first responder that
36 causes serious physical injury is a Class B felony.

37 (3) Chemical endangerment of a first responder that
38 results in the death of the first responder is a Class A
39 felony.

40 Section 2. Although this bill would have as its purpose
41 or effect the requirement of a new or increased expenditure of
42 local funds, the bill is excluded from further requirements
43 and application under Section 111.05 of the Constitution of
44 Alabama of 2022, because the bill defines a new crime or
45 amends the definition of an existing crime.

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



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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 02-May-23, as amended.

John Treadwell
Clerk

Senate

06-Jun-23

Passed