## HB272 ENROLLED



- 1 QNAG15-2
- 2 By Representatives Shaver, Bedsole, Butler, Harrison,
- 3 Robertson, Hulsey, Pettus, Oliver, Colvin, Kitchens, Stringer,
- 4 Woods, Treadaway, Starnes, Fincher, Easterbrook, Wood (R),
- 5 Moore (P), Reynolds, Standridge, Carns, Stadthagen
- 6 RFD: Judiciary
- 7 First Read: 06-Apr-23
- 8 2023 Regular Session

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1 Enrolled, An Act, 2 3 4 Relating to crimes and offenses; to amend Section 5 13A-10-52, Code of Alabama 1975, to revise the criminal penalties for violations of fleeing or attempting to elude law 6 7 enforcement; and in connection therewith would have as its purpose or effect the requirement of a new or increased 8 9 expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022. 10 11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: Section 1. Section 13A-10-52, Code of Alabama 1975, is 12 13 amended to read as follows: "\$13A-10-52 14 15 (a) It shall be unlawful for a person to intentionally flee by any means from anyone the person knows to be a law 16 enforcement officer if the person knows the officer is 17 18 attempting to arrest the person. 19 (b) It shall be unlawful for a person while operating a 20 motor vehicle on a street, road, alley, or highway in this 21 state, to intentionally flee or attempt to elude a law

- enforcement officer after having received a signal from the officer to bring the vehicle to a stop.
- 24 (c)(1) A violation of subsection (a) or (b) is a Class 25 A misdemeanor unless the.

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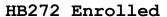
- 26 (2) A violation of subsection (a) or (b) is a Class C 27 felony if either of the following occur:
- 28 a. The flight or attempt to elude causes an actual

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29	death or the offender to strike or collide with another vehicle
30	or pedestrian.
31	b. The flight or attempt to elude causes physical
32	injury to innocent bystanders or third parties, in which case
33	the violation shall be a Class C felony. In addition, the any
34	other person.
35	c. The flight or attempt to elude results in the
36	offender crossing the lines of this state into a neighboring
37	state.
38	(3) A violation of subsection (a) or (b) is a Class B
39	felony if either of the following occur:
40	a. The flight or attempt to elude causes serious
41	physical injury or death to any other person.
42	b. During the flight or attempt to elude the person
43	<pre>exceeds 20 miles per hour over the legal maximum speed limit.</pre>
44	(d) Upon conviction of subsection (a) or (b), the
45	court shall order the suspension of the <u>driver's</u> <u>driver</u>
46	license of the defendant for a period of not less than six
47	months nor more than two years.
48	(e) It is not a violation of this section for an
49	<pre>individual to continue traveling at or below the speed limit,</pre>
50	with or without the vehicle's flashers turned on, with the
51	<pre>intent of stopping the vehicle at the nearest safe place."</pre>
52	Section 2. Although this bill would have as its purpose
53	or effect the requirement of a new or increased expenditure of
54	local funds, the bill is excluded from further requirements
55	and application under Section 111.05 of the Constitution of

Alabama of 2022, because the bill defines a new crime or





- 57 amends the definition of an existing crime.
- Section 3. This act shall become effective on the first
- day of the third month following its passage and approval by
- the Governor, or its otherwise becoming law.

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