

House Judiciary Engrossed Substitute for HB230



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to add Section 13A-6-30 to the Code of Alabama 1975, to create the crime of chemical endangerment of a first responder, to provide for an exception, and establish penalties for violations; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

§13A-6-30

(a) A person commits the crime of chemical endangerment of a first responder if he or she knowingly, recklessly, or intentionally causes or permits a first responder, as defined in Section 11-98-1, or a coroner or a deputy coroner, to be exposed to, to ingest or inhale, or to have contact with a Schedule I controlled substance, as provided in Section 20-2-23, or chemical substance, as defined in Section 26-15-2,



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29 or a mixture or combination thereof while performing his or
30 her duties.

31 (b) For the purposes of this section, in addition to
32 the definition contained in Section 13A-1-2, "serious physical
33 injury" includes exposure, ingestion, inhalation, or contact
34 with fentanyl, any mixture containing fentanyl, any synthetic
35 controlled substance fentanyl, and any synthetic controlled
36 substance fentanyl analogue as described in Sections 20-2-23
37 and 20-2-25.

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

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

42 (3) Chemical endangerment of a first responder that
43 results in the death of the first responder is a Class A
44 felony.

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

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