

HB10 ENGROSSED



1 HB10
2 Z0SEWR-2
3 By Representative Pringle
4 RFD: Judiciary
5 First Read: 06-Feb-24
6 PFD: 01-Dec-23



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-6-3, as last amended by Act 2023-387, 2023 Regular Session, Code of Alabama 1975, to further provide for the crime of manslaughter; 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-6-3, as last amended by Act 2023-387, 2023 Regular Session, Code of Alabama 1975, is amended to read as follows:

"§13A-6-3

(a) A person commits the crime of manslaughter if he or she does any of the following:

(1) Recklessly causes the death of another person.

(2) Causes the death of another person under circumstances that would constitute murder under Section 13A-6-2; except, that he or she causes the death due to a sudden heat of passion caused by provocation recognized by



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29 law, and before a reasonable time for the passion to cool and
30 for reason to reassert itself.

31 (3)a. Knowingly sells, furnishes, gives away, delivers,
32 or distributes a controlled substance in violation of Section
33 13A-12-211, which contains fentanyl, any mixture containing
34 fentanyl, any synthetic controlled substance fentanyl, or any
35 synthetic controlled substance fentanyl analogue as described
36 in Sections 20-2-23 and 20-2-25, and the person to whom the
37 controlled substance is sold, furnished, given, delivered, or
38 distributed dies as a proximate result of the use of the
39 controlled substance; provided, nothing in this subdivision
40 shall be construed to apply to a licensed physician engaged in
41 the practice of medicine, a licensed pharmacist engaged in the
42 practice of pharmacy, or a licensed dentist engaged in the
43 practice of dentistry.

44 b. It is not a defense to this subdivision that the
45 person who sold, furnished, gave away, delivered, or
46 distributed the controlled substance had no knowledge that the
47 controlled substance contained fentanyl, a mixture containing
48 fentanyl, any synthetic controlled substance fentanyl, or any
49 synthetic controlled substance fentanyl analogue as described
50 in Section 20-2-23 and 20-2-25.

51 (b) Manslaughter is a Class B felony."

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



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57 amends the definition of an existing crime.

58 Section 3. This act shall become effective immediately.



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House of Representatives

Read for the first time and referred06-Feb-24
to the House of Representatives
committee on Judiciary

Read for the second time and placed14-Feb-24
on the calendar:
0 amendments

Read for the third time and passed22-Feb-24
as amended
 Yeas 98
 Nays 0
 Abstains 0

John Treadwell
Clerk