



House Judiciary Reported Substitute for HB265

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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-10-41, to further provide for the crime of resisting arrest; and to provide for enhanced penalties in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-10-41, Code of Alabama 1975, is amended to read as follows:

"§13A-10-41

(a) (1) A person commits the crime of resisting arrest if he or she intentionally prevents or attempts to prevent a peace officer from ~~effecting~~ effecting a lawful arrest of himself, herself, or ~~of~~ another person individual.

~~(b)~~ (2) Resisting arrest is a Class ~~B~~ A misdemeanor.

(b) A violation of subsection (a) is a Class **D** felony if either of the following occur during the commission of the crime:

(1) The person brandishes, as defined in Section 13A-11-7, a deadly weapon or dangerous instrument.

(2) The person's active resistance causes a physical injury to another individual.



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29 (c) A violation of subsection (a) is a Class C felony
30 if either of the following occur during the commission of the
31 crime:

32 (1) The person uses or attempts to use a deadly weapon
33 or dangerous instrument.

34 (2) The person's active resistance causes a serious
35 physical injury to another individual."

36 Section 2. This act shall become effective on October
37 1, 2025.