

# HB224 INTRODUCED



1 HB224

2 W6QH995-1

3 By Representatives Treadaway, Pettus

4 RFD: Public Safety and Homeland Security

5 First Read: 06-Feb-25



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SYNOPSIS:

Under existing law, the crime of obstructing governmental operations is a Class A misdemeanor which is committed when a person uses unlawful means to intentionally obstruct, impair, or hinder a government function or a public servant.

This bill would provide that the crime is also committed when a person intentionally approaches or remains within 100 feet of a first responder after being ordered to not approach or to vacate the area and impedes, threatens, or harasses the first responder.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to crimes and offenses; to amend Sections 13A-10-1 and 13A-10-2, Code of Alabama 1975, to further provide for the crime of obstructing governmental operations, to include obstructing the operations of a first responder.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 13A-10-1 and 13A-10-2, Code of Alabama 1975, are amended to read as follows:

"§13A-10-1



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29 The following definitions apply in this article only  
30 unless the context otherwise requires:

31 (1) FIREMAN or FIREFIGHTER. Any officer of a fire  
32 department, a member of a volunteer fire department, or any  
33 other person vested by law with the duty to extinguish fires.

34 (2) FIRST RESPONDER. The term as defined under Section  
35 11-98-1.

36 ~~(2)~~ (3) GOVERNMENT. The state, county, municipality, or  
37 other political subdivision thereof, including public county  
38 and city boards of education, the youth services department  
39 district, the Alabama Institute for Deaf and Blind, and all  
40 educational institutions under the auspices of the State Board  
41 of Education.

42 ~~(3)~~ (4) GOVERNMENTAL FUNCTION. Any activity which a  
43 public servant is legally authorized to undertake on behalf of  
44 a government or the fire control activities of a member of a  
45 volunteer fire department.

46 ~~(4)~~ (5) GOVERNMENTAL RECORD. Any record, paper,  
47 document, or thing belonging to, or received or kept by, the  
48 government for information or record, or required by law to be  
49 kept by others for information of the government. Any  
50 educational attendance, membership, or financial report, or a  
51 student's school transcript.

52 (6) HARASS. To engage in a course of conduct with the  
53 intent to cause substantial emotional distress and which  
54 serves no legitimate purpose.

55 ~~(5)~~ (7) PEACE OFFICER. Any public servant vested by law  
56 with a duty to maintain public order or to make arrests for



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57 crime, whether that duty extends to all crimes or is limited  
58 to specific crimes.

59 ~~(6)~~ (8) PROPERTY. Any real or personal property,  
60 including books, records, and documents.

61 ~~(7)~~ (9) PUBLIC SERVANT. Any officer or employee of  
62 government, including legislators and judges and any person or  
63 agency participating as an adviser, consultant, or otherwise  
64 in performing a governmental function."

65 "§13A-10-2

66 (a) A person commits the crime of obstructing  
67 governmental operations if, by means of intimidation, physical  
68 force, or interference, or by any other independently unlawful  
69 act, he or she does any of the following:

70 (1) Intentionally obstructs, impairs or hinders the  
71 administration of law or other governmental function; ~~or~~.

72 (2) Intentionally prevents a public servant from  
73 performing a governmental function.

74 (3) Intentionally approaches or remains within 100 feet  
75 of any first responder engaged in a lawful government function  
76 after the first responder has instructed him or her not to  
77 approach or to vacate the area with the intent to do any of  
78 the following:

79 a. Impede or interfere with the first responder's  
80 ability to perform his or her duties.

81 b. Threaten the first responder with physical harm.

82 c. Harass the first responder.

83 (b) This section does not apply to the obstruction,  
84 impairment, or hindrance of the making of an arrest.



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85           (c) Obstructing governmental operations is a Class A  
86 misdemeanor."

87           Section 2. This act shall become effective on October  
88 1, 2025.