

HB296 INTRODUCED



1 HB296
2 EJS54CC-1
3 By Representatives Sells, Lee, Mooney, Stringer, Pettus,
4 Bedsole, Brown, Sorrells
5 RFD: Public Safety and Homeland Security
6 First Read: 18-Feb-25



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

Under existing law, a person commits the crime of resisting arrest if the person intentionally prevents or attempts to prevent a peace officer from arresting the person or another person.

This bill would provide that a person who resists arrest shall be held in custody for 24 hours before becoming eligible for release.

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-10-41, Code of Alabama 1975, to provide for a mandatory temporary holding period for persons who resist arrest.

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



HB296 INTRODUCED

29 (b) A person who violates this section shall be subject
30 to a temporary holding period and shall held in custody and
31 not released on bail or otherwise until the passage of 24
32 hours has occurred from the time of the arrest.

33 ~~(b)~~ (c) Resisting arrest is a Class B misdemeanor."

34 Section 2. This act shall become effective on October
35 1, 2025.