

HB419 INTRODUCED



1 HB419
2 L56VDWY-1
3 By Representative Ingram
4 RFD: Judiciary
5 First Read: 06-Mar-25



SYNOPSIS:

Under existing law, the court is required to suspend the driver license of a person convicted of eluding or attempting to elude a law enforcement officer.

This bill would provide that a court must sentence a person convicted for eluding or attempting to elude a law enforcement officer to a minimum of 60 days confinement.

This bill would also provide that a person arrested for eluding or attempting to elude a law enforcement officer shall not be released from jail under bond or otherwise for at least 48 hours.

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-10-52, Code of Alabama 1975; to further provide for the penalties for eluding or attempting to elude a law enforcement officer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-10-52, Code of Alabama 1975, is



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amended to read as follows:

"§13A-10-52

(a) It shall be unlawful for a person to intentionally flee by any means from anyone the person knows to be a law enforcement officer if the person knows the officer is attempting to arrest the person.

(b) It shall be unlawful for a person while operating a motor vehicle on a street, road, alley, or highway in this state, to intentionally flee or attempt to elude a law enforcement officer after having received a signal from the officer to bring the vehicle to a stop.

(c) (1) A violation of subsection (a) or (b) is a Class A misdemeanor.

(2) A violation of subsection (a) or (b) is a Class C felony if any of the following occur:

a. The flight or attempt to elude causes the offender to strike or collide with another vehicle or pedestrian.

b. The flight or attempt to elude causes physical injury to any other person.

c. The flight or attempt to elude results in the offender crossing the lines of this state into a neighboring state.

(3) A violation of subsection (a) or (b) is a Class B felony if either of the following occur:

a. The flight or attempt to elude causes serious physical injury or death to any other person.

b. During the flight or attempt to elude, the person exceeds 20 miles per hour over the legal maximum speed limit.



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(d) Upon conviction of subsection (a) or (b), the court shall do both of the following:

(1) Sentence the defendant to a minimum of 60 days confinement.

(2) ~~order~~ Order the suspension of the driver license of the defendant for a period of not less than six months nor more than two years.

(e) It is not a violation of this section for an individual to continue traveling at or below the speed limit, with or without the vehicle's flashers turned on, with the intent of stopping the vehicle at the nearest safe place."

Section 2. An individual charged with a violation of Section 13A-10-52, Code of Alabama 1975, shall be subject to a 48-hour temporary holding period from the time of arrest. The individual shall be held in custody and any bond, appearance bond, secured appearance bond, or personal recognizance order shall not be enforced nor executed, and the individual shall not be released on bail or otherwise, until the passage of the 48-hour temporary holding period from the time of the arrest has been completed.

Section 3. This act shall become effective on October 1, 2025.