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4 SYNOPSIS:

5 Under existing law, eluding or attempting to  
6 elude a law enforcement officer is a Class A  
7 misdemeanor, Class C felony, or Class B felony based on  
8 the circumstances of the offense.

9 This bill would provide that eluding or  
10 attempting to elude a law enforcement officer is a  
11 Class D felony.

12 This bill would provide that eluding or  
13 attempting to elude a law enforcement officer is also a  
14 Class C felony if, during the flight or attempt to  
15 elude, any of the following conditions exist: (i) a  
16 child under 14 years of age is present in the vehicle;  
17 (ii) the flight or attempt to elude occurs while the  
18 offender is released on bail, probation, or parole, or  
19 while the offender is serving a sentence in a community  
20 corrections or work release program; or (iii) the  
21 offender has previously been convicted of eluding or  
22 attempting to elude.

23 This bill would provide that eluding or  
24 attempting to elude a law enforcement officer is a  
25 Class B felony if, during the flight or attempt to  
26 elude, either of the following conditions exist: (i)  
27 the offender strikes or attempts to strike a law  
enforcement officer or a vehicle occupied by a law



29 enforcement officer; or (ii) the offender has two or  
30 more previous convictions for eluding or attempting to  
31 elude.

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

36 This bill would provide that, in the case of  
37 multiple convictions of eluding or attempting to elude,  
38 the court would be required to sentence the offender to  
39 a minimum of 90 days confinement for a second  
40 conviction and a minimum of 180 days confinement for a  
41 third or subsequent conviction.

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44 A BILL  
45 TO BE ENTITLED  
46 AN ACT

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48 Relating to crimes and offenses; to amend Section  
49 13A-10-52, Code of Alabama 1975; to include various conditions  
50 under which the crime of eluding or attempting to elude a law  
51 enforcement officer is subject to heightened criminal  
52 penalties; and to provide certain mandatory minimum penalties  
53 for multiple convictions of eluding or attempting to elude a  
54 law enforcement officer.

55 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



57 amended to read as follows:

58 "§13A-10-52

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

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

68 (c) (1) A violation of subsection (a) or (b) is a ~~Class~~  
69 A misdemeanorClass D felony.

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

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

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

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

79 d. During the flight or attempt to elude, a child under  
80 14 years of age is present in the vehicle.

81 e. The flight or attempt to elude occurs while the  
82 offender is released on bail, probation, or parole, or while  
83 the offender is serving a sentence in a community corrections  
84 or work release program.



85           f. At the time of the offense, the offender has a  
86           previous conviction for a violation of subsection (a) or (b).

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

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

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

93           c. During the flight or attempt to elude, the offender  
94           strikes or attempts to strike a law enforcement officer or a  
95           vehicle occupied by a law enforcement officer.

96           d. At the time of the offense, the offender has two or  
97           more previous convictions for a violation of subsection (a) or  
98           (b).

99           (d) (1) Upon conviction for a violation of subsection  
100           (a) or (b), the court shall order the suspension of the driver  
101           license of the defendant for a period of not less than six  
102           months nor more than two years.

103           (2) Upon a second conviction for a violation of  
104           subsection (a) or (b) within a 10-year period of time, as  
105           measured from the dates of previous arrests for which  
106           convictions were obtained to the date of the current arrest  
107           for which a conviction is obtained, the court shall sentence  
108           the defendant to a minimum of 90 days confinement.

109           (3) Upon a third or subsequent conviction for a  
110           violation of subsection (a) or (b) within a 10-year period of  
111           time, as measured from the dates of previous arrests for which  
112           convictions were obtained to the date of the current arrest



113 for which a conviction is obtained, the court shall sentence  
114 the defendant to a minimum of 180 days confinement.

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

119 (f) If an individual charged with a violation of this  
120 section is arrested by a municipal law enforcement agency and  
121 detained in the county jail, the arresting municipality shall  
122 reimburse the county commission for any medical costs  
123 associated with the individual's detention."

124 Section 2. This act shall become effective on October  
125 1, 2026.