

HB11 INTRODUCED



1 HB11
2 DGSFCHH-1
3 By Representative Pettus
4 RFD: Judiciary
5 First Read: 13-Jan-26
6 PFD: 25-Jun-25



SYNOPSIS:

Under existing law, an individual charged with a crime that is committed while he or she is under 19 years of age may be tried as a youthful offender.

This bill would prohibit a judge from granting youthful offender status to an individual who is 16 years of age or older and charged with capital murder or murder.

A BILL
TO BE ENTITLED
AN ACT

Relating to criminal procedure; to amend Section 15-19-1, Code of Alabama 1975, to prohibit a judge from granting youthful offender status to an individual who is 16 years of age or older and charged with capital murder or murder.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as Jolee's Law.

Section 2. Section 15-19-1, Code of Alabama 1975, is amended to read as follows:

"§15-19-1



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(a) Except as provided in subsection (c), an individual
~~A person~~ charged with a crime ~~which~~ that was committed ~~in his~~
~~or her minority~~ prior to the individual reaching 21 years of
age but was not disposed of in juvenile court and ~~which~~ that
involves moral turpitude or is subject to a sentence of
commitment for one year or more shall be, and, if charged with
a lesser crime may be, investigated and examined by the court.
~~to~~ The court shall determine whether he or she should be tried
as a youthful offender, provided he or she consents to ~~such~~
the examination and to trial without a jury where trial by
jury would otherwise be available to the defendant. If the
defendant consents and the court so decides, no further action
shall be taken on the indictment or information unless
otherwise ordered by the court as provided in subsection (b).

(b) After ~~such~~ the investigation and examination, the
court, ~~in its discretion,~~ may ~~direct~~ order either of the
following:

(1) That ~~that~~ the defendant be arraigned as a youthful
offender, and that no further action shall be taken on the
indictment or information; ~~or the court may decide.~~

(2) That ~~that~~ the defendant ~~shall~~ not be arraigned as a
youthful offender, ~~whereupon~~ and that the indictment or
information shall be deemed filed.

(c) An individual who has attained 16 years of age or
older at the time of the offense and who is charged with
capital murder pursuant to Section 13A-5-40 or murder pursuant
to Section 13A-6-2(a)(1) may not be tried as a youthful
offender pursuant to subsection (a), but shall be charged,



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57 arrested, and tried as an adult. This shall not bar an
58 individual from being eligible for application for youthful
59 offender status if the initial charge of capital murder
60 pursuant to Section 13A-5-40 or murder pursuant to Section
61 13A-6-2(a)(1) is reduced to a lesser charge.

62 ~~(c)(d)(1) In addition to the provisions of subsections~~
63 ~~(a) and (b), when~~ When the defendant is charged with a crime
64 that contains as an element of the crime or an allegation
65 related to the charge that the defendant intentionally
66 inflicted serious physical injury or intentionally killed the
67 victim in the commission of the crime, prior to conducting a
68 hearing or examination on whether the defendant will be
69 arraigned as a youthful offender, the victim shall receive
70 notice 10 days prior to the hearing pursuant to the provisions
71 of the Crime Victims' Rights Act, 18 U.S.C. § 3771.

72 ~~(2) In addition, the~~ The court shall conduct an
73 evidentiary hearing on the allegations of the crime and the
74 extent of injuries of the victim and shall consider the
75 evidence prior to determining youthful offender status.

76 (3) The failure to provide a right, privilege, or
77 notice to a victim under this subsection shall not be grounds
78 for the defendant or victim to seek to have the disposition of
79 the case set aside."

80 Section 3. This act shall become effective on October
81 1, 2026.