1   HB405

2   5VHTN63-2

3   By Representative Bracy

4   RFD: Judiciary

5   First Read: 05-Feb-26

1   Enrolled, An Act,

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4   Relating to crimes and offenses; to add Section

5   13A-10-40.1 to the Code of Alabama 1975, to provide for the

6   crime of bail jumping in the third degree; and to provide

7   criminal penalties for violations.

8   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9   Section 1. Section 13A-10-40.1 is added to the Code of

10   Alabama 1975, to read as follows:

11   §13A-10-40.1

12   (a) A person commits the crime of bail jumping in the

13   third degree if, having been lawfully released from custody,

14   with or without bail, upon condition that he or she is subject

15   to electronic monitoring, he or she violates any condition of

16   his or her court ordered electronic monitoring.

17   (b) It is a defense to prosecution under this section

18   that the defendant's violation was unintentional or was

19   unavoidable and due to circumstances beyond his or her

20   control. The burden of injecting the defense of an

21   unintentional violation, or unavoidability and circumstances

22   beyond his or control, is on the defendant.

23   (c) Bail jumping in the third degree is a Class C

24   misdemeanor.

25   Section 2. This act shall become effective on October

26   1, 2026.

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Speaker of the House of Representatives
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42 President and Presiding Officer of the Senate
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45 House of Representatives
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47 I hereby certify that the within Act originated in and
48 was passed by the House 05-Mar-26.
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50 John Treadwell
51 Clerk
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57 Senate   **17-Mar-26**   Passed
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