

# HB7 ENGROSSED



1 HB7

2 W1SBM99-2

3 By Representatives , Lomax, Pettus, Treadaway, Faulkner,  
4 Kirkland, Estes, Wadsworth, Whorton, Rehm, Lipscomb, Oliver,  
5 Hurst, Paschal, Hulsey, Rigsby, Stringer, Brown, Sorrells,  
6 Hammett, Butler, Robertson, Colvin, Crawford, Almond, Wilcox,  
7 Underwood, Mooney, Gidley, Baker, Jackson, Stubbs, Starnes,  
8 Bolton, Easterbrook, Ross, Sellers, Standridge, Carns, Gray,  
9 Stadthagen, Bedsole

10 RFD: Judiciary

11 First Read: 13-Jan-26

12 PFD: 25-Jun-25



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A BILL

TO BE ENTITLED

AN ACT

Relating to crimes and offenses; to amend Sections 13A-10-240, 13A-10-241, 13A-10-242, and 16-1-24.1, Code of Alabama 1975; to provide for the definition of a "credible threat"; to revise the elements of and provide further for the penalties for the crime of making a terrorist threat in the first and second degrees; to require a public school principal to immediately notify law enforcement if the conduct of the student warrants the charge of making a terrorist threat in the first or second degree; to specifically provide that being charged with either crime is a reason for which a student shall immediately be suspended for a minimum of one year; to provide further for the conditions of readmittance; to provide for restitution upon a finding of guilt; and to add Section 13A-10-243 to the Code of Alabama 1975; to require any person found guilty of making a terrorist threat in the first or second degree to make restitution.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 13A-10-240, 13A-10-241, 13A-10-242, and 16-1-24.1 of the Code of Alabama 1975, are amended to read as follows:



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"§13A-10-240

As used in this article, the following terms have the following meanings:

(1) CREDIBLE THREAT. A knowing and willful statement or course of conduct which, based on the totality of the circumstances, would cause a reasonable person to fear for his or her safety or the safety of another.

(2) GOVERNMENT. The term as defined in Section 13A-10-1.

(3) GOVERNMENTAL FUNCTION. The term as defined in Section 13A-10-1.

~~(1)~~ (4) PROPERTY. Personal or real property. The term includes, but is not limited to, any of the following buildings or real property:

a. A church, mosque, synagogue, or other religious real property.

b. A public or private school.

c. A hospital, nursing home, or other building housing disabled or immobile individuals.

~~(2) THREATEN. A person threatens another if all of the following occur:~~

~~a. The person intentionally and knowingly makes a statement verbally, in writing, by means of an electronic communication device, or by any other means to harm a person or property.~~

~~b. The statement is communicated to another person.~~

~~c. Under the circumstances, the threatened harm is credible and imminent.~~

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57 ~~d. The statement, on its face and under the~~  
58 ~~circumstances in which it is made, is so unequivocal,~~  
59 ~~immediate, and specific as to convey to the person threatened,~~  
60 ~~a gravity of purpose and an immediate prospect of execution of~~  
61 ~~the threat.~~

62 ~~e. The statement causes the person to reasonably be in~~  
63 ~~sustained fear for his or her own safety or for the object of~~  
64 ~~the threat.~~

65 (5) VIOLENT ACT. A crime of violence as defined in  
66 Section 13A-11-70, or a violent offense as defined in Section  
67 12-25-32.

68 ~~(3) WEAPONS~~ (6) WEAPON OF MASS DESTRUCTION. Any of the  
69 following:

70 a. A destructive device as defined in 18 U.S.C. § 921.

71 b. A weapon that is designed or intended to cause death  
72 or serious bodily injury through the release, dissemination,  
73 or impact of toxic or poisonous chemicals.

74 c. A weapon involving a biological agent, toxin, or  
75 vector, as those terms are defined in 18 U.S.C. § 178.

76 d. A weapon that is designed to release radiation or  
77 radioactivity at a level dangerous to human life."

78 "§13A-10-241

79 (a) A person commits the crime of making a terrorist  
80 threat in the first degree when he or she, ~~based on an~~  
81 ~~objective evaluation, credibly threatens~~ makes a credible  
82 threat to commit a ~~crime of violence~~ violent act against a  
83 person or to damage any property by use of a bomb, explosive,  
84 weapon of mass destruction, firearm, deadly weapon, dangerous



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instrument, or other mechanism, and that threat does or is  
intended to do any of the following—occurs:

~~(1) The threat causes the evacuation of any real  
property.~~

~~(2) The threat causes~~ (1) Cause the disruption of a  
school, church, ~~or government activity~~ hospital, nursing home,  
or other building housing disabled or immobile individuals.

~~(3) The threat is with intent to retaliate against the  
victim because of his or her involvement or participation as  
any of the following:~~

~~a. A witness or party in any judicial or administrative  
proceeding.~~

~~b. A person who produced records, documents, or other  
objects in a judicial or administrative proceeding.~~

~~c. A person who provided to a law enforcement officer,  
adult or juvenile probation officer, prosecuting attorney, or  
judge any information relating to the commission or possible  
commission of an offense under the laws of this state, of the  
United States, or a violation of conditions of bail, pretrial  
release, probation, or parole.~~

~~(4) The threat is made against an elected public  
official or his or her staff.~~

(2) Influence any person participating in a  
governmental function by intimidation or coercion.

(b) The crime of making a terrorist threat in the first  
degree is a Class ~~C~~ B felony."

"§13A-10-242

(a) A person commits the crime of making a terrorist



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threat in the second degree when he or she, ~~based on an~~  
~~objective evaluation, credibly threatens~~ makes a credible  
threat to commit a ~~crime of violence~~ violent act against a  
person or to damage any property by use of a bomb, explosive,  
weapon of mass destruction, firearm, deadly weapon, dangerous  
instrument, or other mechanism.

(b) ~~The~~ (1) Except as provided in subdivision (2), the  
crime of making a terrorist threat in the second degree is a  
Class A misdemeanor.

(2) The crime of making a terrorist threat in the  
second degree is a Class D felony if either of the following  
occurs:

a. The person has a prior adjudication or conviction of  
making a terrorist threat in any degree.

b. The person commits a second or subsequent offense of  
making a terrorist threat in the second degree within one year  
of making another terrorist threat in any degree."

"§16-1-24.1

(a) The Legislature finds a compelling public interest  
in ensuring that schools are made safe and drug-free for all  
students and school employees. The Legislature finds the need  
for a comprehensive safe school and drug-free school policy to  
be adopted by the State Board of Education. This policy should  
establish minimum standards for classes of offenses and  
prescribe uniform minimum procedures and penalties for those  
who violate the policies. It is the intent of the Legislature  
that our schools remain safe and drug-free for all students  
and school employees. The State Board of Education shall adopt



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141 and all local boards of education shall uniformly enforce  
142 policies that protect all students and school employees. The  
143 State Board of Education shall require local school systems to  
144 modify their policies, practices, or procedures so as to  
145 ensure a safe school environment free of illegal drugs,  
146 alcohol, or weapons. Any rules ~~and regulations~~ adopted by the  
147 State Board of Education pursuant to this section shall be  
148 exempt from Section 41-22-3(3). These modifications shall  
149 include the formulation of a discipline plan setting forth  
150 policies, practices, and procedures dealing with students or  
151 ~~other persons~~ individuals who bring illegal drugs, alcohol, or  
152 weapons on a school campus. The discipline plan shall also  
153 include uniform drug-free school policies with uniform  
154 penalties.

155 (b) (1) The principal shall notify appropriate law  
156 enforcement officials when any ~~person~~ student or school  
157 employee violates local board of education policies concerning  
158 drugs, alcohol, weapons, physical harm to ~~a person~~ an  
159 individual, or threatened physical harm to ~~a person~~ an  
160 individual.

161 (2) The principal shall notify appropriate law  
162 enforcement officials immediately upon notice of any  
163 individual making a terrorist threat pursuant to Section  
164 13A-10-241 or Section 13A-10-242.

165 (3) If any criminal charge is warranted arising from  
166 the conduct described in subdivision (1) or (2), the principal  
167 is authorized to ~~may~~ sign the appropriate ~~a~~ warrant or  
168 complaint. If that ~~person~~ accused individual is a student



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enrolled in any public school in ~~the State of Alabama~~ this  
state, the local school system shall immediately suspend that  
~~person~~ student from attending regular classes and schedule a  
hearing at the earliest possible date, which shall not be  
later than ~~five school~~ 30 calendar days, or pursuant to the  
due process procedures provided in Section 16-1-14, whichever  
is earliest. The length of the suspension shall depend on the  
outcome of the disciplinary hearing before the local board of  
education. ~~The decision to suspend or initiate~~ initiation of  
criminal charges against a student, ~~or both,~~ shall include a  
review and consideration of the student's exceptional status,  
if applicable, under Chapter 39, or appropriate federal  
statutory or case law.

(c) ~~If a person~~ Except as otherwise provided in  
subsection (e), if a student or school employee is found to  
have violated a local board of education policy concerning  
drugs, alcohol, weapons, physical harm to ~~a person~~ an  
individual, or threatened physical harm to ~~a person~~ an  
individual, ~~the person~~ the student or school employee may not be  
readmitted to the public schools of this state until ~~(1): (i)~~  
all criminal charges or offenses arising from the conduct, if  
any, have been disposed of by appropriate authorities; ~~and (2)~~  
(ii) the person student or school employee has satisfied all  
other requirements imposed by the local board of education as  
a condition for readmission.

(d) ~~Any person~~ Except as otherwise provided in  
subsection (e), any student or school employee ~~determined to~~  
~~be guilty~~ adjudicated delinquent or youthful offender, or





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197 convicted of an a criminal offense involving drugs, alcohol,  
198 weapons, physical harm to a person an individual, or  
199 threatened physical harm to a person an individual, may not be  
200 readmitted to the public schools of this state upon such until  
201 the student or school employee has satisfied the conditions as  
202 prescribed by the local board of education shall prescribe for  
203 preservation of the safety or security of students and  
204 employees of the local school board of education, which may  
205 include, but are not limited to, psychiatric or psychological  
206 evaluation and counseling.

207 (e) (1) If a student is charged with the crime of making  
208 a terrorist threat in the first or second degree, he or she  
209 shall be immediately suspended from attending regular classes  
210 and banned from all public K-12 or public charter school  
211 property in the state for a minimum of one year, or earlier  
212 upon the dismissal of all related criminal charges. This shall  
213 not prevent a student from attending any hearing or official  
214 proceeding when summoned by the school administration or board  
215 of education. The student may not be readmitted to the public  
216 schools of this state until: (i) all criminal charges or  
217 offenses arising from the conduct have been disposed of by  
218 appropriate authorities; (ii) the student has completed a  
219 psychiatric or psychological evaluation and counseling  
220 prescribed by the court, at the expense of the parent or  
221 guardian of the student; and (iii) the student has satisfied  
222 all other requirements imposed by the local board of education  
223 as a condition for readmission.

224 (2) In addition to the recovery of damages and court



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costs provided in subdivision (f) (3), upon a student being adjudicated or convicted of the crime of making a terrorist threat in the first or second degree, the student shall be expelled from school, and the court shall order the student and the parent or guardian of the student to pay restitution to law enforcement, emergency medical service providers, and the local board of education for any costs incurred relating to the crime.

~~(e)~~ (f) (1) A copy of the school system's discipline plan shall be distributed to all students enrolled in the system and their parents, or guardians, ~~or custodians~~ shall read the plan and sign a statement verifying that they have been given notice of the discipline policies of their respective school system. ~~The school~~ local board of education shall have its official discipline plan reviewed on an annual basis to ensure that its policies and procedures are currently in compliance with applicable statutes, case law, and state and federal constitutional provisions.

(2) ~~All The~~ discipline plans plan of a school systems system shall include, but not be limited to, all of the following:

a. A parent, or guardian, ~~custodian, or person,~~ excluding a foster parent, responsible for the care or control of a ~~minor child~~ student enrolled in a public school system shall be responsible financially for ~~such child's~~ the destructive acts of the student against school property or ~~persons~~ another individual.

b. A parent, or guardian, ~~custodian, or person,~~

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253 excluding a foster parent, responsible for the care or control  
254 of a ~~minor child~~ student enrolled in a public school system  
255 may be requested to appear at the school by an appropriate  
256 school official for a conference regarding the acts of the  
257 ~~child~~ student specified in paragraph a.

258 c. A parent, ~~or guardian, custodian, or person,~~  
259 excluding a foster parent, responsible for the care or control  
260 of a ~~minor child~~ student enrolled in a public school system  
261 who has been summoned by proper notification by an appropriate  
262 school official shall ~~be required under this provision to~~  
263 ~~attend such~~ the discipline conference specified in paragraph  
264 b.

265 (3) Any public school system ~~shall be entitled to~~ may  
266 recover actual damages, plus necessary court costs, from the  
267 parent or guardian, or both, of any ~~minor~~ student who  
268 maliciously and willfully damages or destroys property  
269 belonging to the school system. ~~However, this section~~ This  
270 subdivision shall not apply to ~~parents~~ any parent whose  
271 parental control of ~~any child~~ a student has been removed by  
272 court order or decree or to ~~parents~~ any parent of an  
273 exceptional ~~children~~ child with specific mental and physical  
274 impairments if the damage is determined to result from the  
275 impairments. The action authorized in this ~~section~~ subdivision  
276 shall be in addition to all other actions which the school  
277 system ~~is entitled to~~ may maintain and nothing in this ~~section~~  
278 subdivision shall preclude recovery in a greater amount from  
279 the ~~minor~~ student or from ~~a person~~ an individual, including  
280 the parents or guardian, or both, for damages to which ~~such~~



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~~minor other person~~ the student would otherwise be liable.

~~(4) This section shall apply only to acts committed on or after August 1, 1992.~~

~~(f)~~ (g) The local ~~school~~ board of education shall adopt and make available to all teachers, school personnel, students, and parents or guardians, at the beginning of ~~the 1992-93 school year and each school year thereafter~~, a code of student conduct developed in consultation with teachers, school personnel, students, and parents or guardians. The code shall be based on the rules governing student conduct and discipline adopted by the ~~school~~ local board of education and may be made available at the school level in the student handbook or similar publication. The code shall include, but not be limited to, all of the following:

(1) Specific grounds for disciplinary action.

(2) Procedures to be followed for acts requiring discipline.

(3) An explanation of the responsibilities and rights of students with regard to attendance, respect for ~~persons~~ individuals, entities, and property, knowledge and observation of rules of conduct, the right to learn, free speech and student publications, assembly, privacy, and participation in school programs and activities.

~~(g)~~ (h) Except in the case of excessive force or cruel and unusual punishment, no certified or noncertified employee of the State Board of Education or any local board of education shall be civilly liable for any action carried out in conformity with state law and system or school rules



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309 regarding the control, discipline, suspension, and expulsion  
310 of students.

311 ~~(h)~~ (i) Nothing in this section shall be construed to  
312 prevent a local board of education from ~~promulgating~~ adopting  
313 more stringent rules ~~and regulations~~ than those adopted on the  
314 state level, in order to foster and maintain a safe and  
315 drug-free environment in the public schools."

316 Section 2. Section 13A-10-243 is added to the Code of  
317 Alabama 1975, to read as follows:

318 §13A-10-243

319 (a) A person convicted or adjudicated of making a  
320 terrorist threat in the first degree or second degree shall be  
321 ordered to make restitution as follows:

322 (1) To the owner of any real property or school,  
323 church, or governmental entity affected by the making of the  
324 terrorist threat.

325 (2) To the primary investigative law enforcement and  
326 prosecutorial entities for any legitimate cost incurred in the  
327 course of the investigation or prosecution. Where the  
328 terrorist threat results in an emergency response, the  
329 defendant shall be ordered to pay restitution for the expenses  
330 incurred by any local, state, or federal law enforcement or  
331 assisting governmental agency. Expenses include any reasonable  
332 costs directly incurred, including the costs of police,  
333 firefighting, and emergency medical services, and the  
334 personnel costs of those persons who respond to the incident.

335 (b) Notwithstanding any other provision of law, the  
336 total amount of restitution ordered pursuant to this section



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337 shall not exceed ten thousand dollars (\$10,000).

338 Section 3. This act shall become effective on July 1,

339 2026.



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### House of Representatives

343 Read for the first time and referred .....13-Jan-26  
344 to the House of Representatives  
345 committee on Judiciary  
346  
347 Read for the second time and placed .....29-Jan-26  
348 on the calendar:  
349 0 amendments  
350  
351 Read for the third time and passed .....05-Feb-26  
352 as amended  
353 Yeas 85  
354 Nays 1  
355 Abstains 15  
356  
357

358  
359  
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John Treadwell  
Clerk