

HB7 ENROLLED



1 HB7

2 W1SBM99-3

3 By Representatives Lomax, Pettus, Treadaway, Faulkner,
4 Kirkland, Estes, Wadsworth, Whorton, Rehm, Lipscomb, Oliver,
5 Hurst, Paschal, Hulseley, Rigsby, Stringer, Brown, Sorrells,
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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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1 Enrolled, An Act,

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3 Relating to crimes and offenses; to amend Sections
4 13A-10-240, 13A-10-241, 13A-10-242, and 16-1-24.1, Code of
5 Alabama 1975; to provide for the definition of a "credible
6 threat"; to revise the elements of and provide further for the
7 penalties for the crime of making a terrorist threat in the
8 first and second degrees; to require a public school principal
9 to immediately notify law enforcement if the conduct of the
10 student warrants the charge of making a terrorist threat in
11 the first or second degree; to specifically provide that being
12 charged with either crime is a reason for which a student
13 shall immediately be suspended for a minimum of one year; to
14 provide further for the conditions of readmittance; to provide
15 for restitution upon a finding of guilt; and to add Section
16 13A-10-243 to the Code of Alabama 1975; to require any person
17 found guilty of making a terrorist threat in the first or
18 second degree to make restitution.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

23 "§13A-10-240

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

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



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29 or her safety or the safety of another.

30 (2) GOVERNMENT. The term as defined in Section
31 13A-10-1.

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

34 ~~(1)~~ (4) PROPERTY. Personal or real property. The term
35 includes, but is not limited to, any of the following
36 buildings or real property:

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

39 b. A public or private school.

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

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

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

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

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

51 d. ~~The statement, on its face and under the~~
52 ~~circumstances in which it is made, is so unequivocal,~~
53 ~~immediate, and specific as to convey to the person threatened,~~
54 ~~a gravity of purpose and an immediate prospect of execution of~~
55 ~~the threat.~~

56 e. ~~The statement causes the person to reasonably be in~~



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57 ~~sustained fear for his or her own safety or for the object of~~
58 ~~the threat.~~

59 (5) VIOLENT ACT. A crime of violence as defined in
60 Section 13A-11-70, or a violent offense as defined in Section
61 12-25-32.

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

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

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

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

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

72 "§13A-10-241

73 (a) A person commits the crime of making a terrorist
74 threat in the first degree when he or she, ~~based on an~~
75 ~~objective evaluation, credibly threatens~~ makes a credible
76 threat to commit a ~~crime of violence~~ violent act against a
77 person or to damage any property by use of a bomb, explosive,
78 weapon of mass destruction, firearm, deadly weapon, dangerous
79 instrument, or other mechanism, and that threat does or is
80 intended to do any of the following ~~occurs:~~

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

83 ~~(2) The threat causes~~ (1) Cause the disruption of a
84 school, church, ~~or government activity~~ hospital, nursing home,



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85 or other building housing disabled or immobile individuals.

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

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

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

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

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

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

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

105 "§13A-10-242

106 (a) A person commits the crime of making a terrorist
107 threat in the second degree when he or she, ~~based on an~~
108 ~~objective evaluation, credibly threatens~~ makes a credible
109 threat to commit a ~~crime of violence~~ violent act against a
110 person or to damage any property by use of a bomb, explosive,
111 weapon of mass destruction, firearm, deadly weapon, dangerous
112 instrument, or other mechanism.



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

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

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

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

124 "§16-1-24.1

125 (a) The Legislature finds a compelling public interest
126 in ensuring that schools are made safe and drug-free for all
127 students and school employees. The Legislature finds the need
128 for a comprehensive safe school and drug-free school policy to
129 be adopted by the State Board of Education. This policy should
130 establish minimum standards for classes of offenses and
131 prescribe uniform minimum procedures and penalties for those
132 who violate the policies. It is the intent of the Legislature
133 that our schools remain safe and drug-free for all students
134 and school employees. The State Board of Education shall adopt
135 and all local boards of education shall uniformly enforce
136 policies that protect all students and school employees. The
137 State Board of Education shall require local school systems to
138 modify their policies, practices, or procedures so as to
139 ensure a safe school environment free of illegal drugs,
140 alcohol, or weapons. Any rules ~~and regulations~~ adopted by the



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141 State Board of Education pursuant to this section shall be
142 exempt from Section 41-22-3(3). These modifications shall
143 include the formulation of a discipline plan setting forth
144 policies, practices, and procedures dealing with students or
145 ~~other persons~~ individuals who bring illegal drugs, alcohol, or
146 weapons on a school campus. The discipline plan shall also
147 include uniform drug-free school policies with uniform
148 penalties.

149 (b) (1) The principal shall notify appropriate law
150 enforcement officials when any ~~person~~ student or school
151 employee violates local board of education policies concerning
152 drugs, alcohol, weapons, physical harm to ~~a person~~ an
153 individual, or threatened physical harm to ~~a person~~ an
154 individual.

155 (2) The principal shall notify appropriate law
156 enforcement officials immediately upon notice of any
157 individual making a terrorist threat pursuant to Section
158 13A-10-241 or Section 13A-10-242.

159 (3) If any criminal charge is warranted arising from
160 the conduct described in subdivision (1) or (2), the principal
161 ~~is authorized to~~ may sign the appropriate a warrant or
162 complaint. If that ~~person~~ accused individual is a student
163 enrolled in any public school in ~~the State of Alabama~~ this
164 state, the local school system shall immediately suspend that
165 ~~person~~ student from attending regular classes and schedule a
166 hearing at the earliest possible date, which shall not be
167 later than ~~five school~~ 30 calendar days, or pursuant to the
168 due process procedures provided in Section 16-1-14, whichever



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169 is earliest. The length of the suspension shall depend on the
170 outcome of the disciplinary hearing before the local board of
171 education. The decision to suspend or initiate initiation of
172 criminal charges against a student, or both, shall include a
173 review and consideration of the student's exceptional status,
174 if applicable, under Chapter 39, or appropriate federal
175 statutory or case law.

176 (4) Any disciplinary action mandated by this subsection
177 shall be subject to the student's existing rights and
178 procedural safeguards under the federal Individuals with
179 Disabilities Education Act (IDEA) and Section 504 of the
180 Rehabilitation Act of 1973, which shall take precedence in the
181 event of a conflict.

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

194 (d) Any person Except as otherwise provided in
195 subsection (e), any student or school employee determined to
196 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) Any disciplinary action mandated by this
208 subsection shall be subject to the student's existing rights
209 and procedural safeguards under the federal Individuals with
210 Disabilities Education Act (IDEA) and Section 504 of the
211 Rehabilitation Act of 1973, which shall take precedence in the
212 event of a conflict.

213 (2) If a student is charged with making a terrorist
214 threat in the first or second degree, the school system shall
215 immediately suspend that student from attending regular
216 classes and schedule a hearing at the earliest possible date,
217 which shall not be later than 30 calendar days after the
218 suspension, or pursuant to the due process procedures provided
219 in Section 16-1-14, whichever is earliest. This suspension
220 shall not prevent a student from attending any hearing or
221 official proceeding when summoned by the school administration
222 or board of education. The student may not be readmitted to
223 the public schools of this state until: (i) all criminal
224 charges or offenses arising from the conduct have been



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225 disposed of by appropriate authorities; (ii) the student has
226 completed a psychiatric or psychological evaluation and has
227 begun counseling if prescribed by the court; and (iii) the
228 student has satisfied all other requirements imposed by the
229 local board of education as a condition for readmission.

230 (3) In addition to the recovery of damages and court
231 costs provided in subdivision (f) (3), upon a student being
232 adjudicated or convicted of the crime of making a terrorist
233 threat in the first or second degree, the student shall be
234 expelled from school, and the court may order the student and
235 the parent or guardian of the student to pay restitution to
236 law enforcement, emergency medical service providers, and the
237 local board of education for any costs incurred relating to
238 the crime.

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

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

252 a. 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 shall be responsible financially for ~~such child's~~ the
256 destructive acts of the student against school property or
257 ~~persons~~ another individual.

258 b. 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 may be requested to appear at the school by an appropriate
262 school official for a conference regarding the acts of the
263 ~~child~~ student specified in paragraph a.

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

271 (3) Any public school system ~~shall be entitled to~~ may
272 recover actual damages, plus necessary court costs, from the
273 parent or guardian, or both, of any ~~minor~~ student who
274 maliciously and willfully damages or destroys property
275 belonging to the school system. ~~However, this section~~ This
276 subdivision shall not apply to ~~parents~~ any parent whose
277 parental control of ~~any child~~ a student has been removed by
278 court order or decree or to ~~parents~~ any parent of an
279 exceptional ~~children~~ child with specific mental and physical
280 impairments if the damage is determined to result from the



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281 impairments. The action authorized in this ~~section~~ subdivision
282 shall be in addition to all other actions which the school
283 system ~~is entitled to~~ may maintain and nothing in this ~~section~~
284 subdivision shall preclude recovery in a greater amount from
285 the ~~minor~~ student or from ~~a person~~ an individual, including
286 the parents or guardian, or both, for damages to which ~~such~~
287 ~~minor other person~~ the student would otherwise be liable.

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

290 ~~(f)~~ (g) The local ~~school~~ board of education shall adopt
291 and make available to all teachers, school personnel,
292 students, and parents or guardians, at the beginning of ~~the~~
293 ~~1992-93 school year and each school year thereafter~~, a code of
294 student conduct developed in consultation with teachers,
295 school personnel, students, and parents or guardians. The code
296 shall be based on the rules governing student conduct and
297 discipline adopted by the ~~school~~ local board of education and
298 may be made available at the school level in the student
299 handbook or similar publication. The code shall include, but
300 not be limited to, all of the following:

301 (1) Specific grounds for disciplinary action.

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

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



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309 school programs and activities.

310 ~~(g)~~ (h) Except in the case of excessive force or cruel
311 and unusual punishment, no certified or noncertified employee
312 of the State Board of Education or any local board of
313 education shall be civilly liable for any action carried out
314 in conformity with state law and system or school rules
315 regarding the control, discipline, suspension, and expulsion
316 of students.

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

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

324 §13A-10-243

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

328 (1) To the owner of any real property or school,
329 church, or governmental entity affected by the making of the
330 terrorist threat.

331 (2) To the primary investigative law enforcement and
332 prosecutorial entities for any legitimate cost incurred in the
333 course of the investigation or prosecution. Where the
334 terrorist threat results in an emergency response, the
335 defendant shall be ordered to pay restitution for the expenses
336 incurred by any local, state, or federal law enforcement or



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337 assisting governmental agency. Expenses include any reasonable
338 costs directly incurred, including the costs of police,
339 firefighting, and emergency medical services, and the
340 personnel costs of those persons who respond to the incident.

341 (b) Notwithstanding any other provision of law, the
342 total amount of restitution ordered pursuant to this section
343 shall not exceed ten thousand dollars (\$10,000).

344 Section 3. This act shall become effective on July 1,
345 2026.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 05-Feb-26, as amended.

John Treadwell
Clerk

Senate	19-Mar-26	Amended and Passed
House	31-Mar-26	Concurred in Senate Amendment