

**SB114 ENROLLED**



1 SB114  
2 XD3U9ZZ-2  
3 By Senator Bell  
4 RFD: Veterans, Military Affairs and Public Safety  
5 First Read: 13-Jan-26



## SB114 Enrolled

Enrolled, An Act,

Relating to criminal procedure; to amend Section 15-9-41, Code of Alabama 1975; to further provide for the conditions under which an individual may be arrested without a warrant; and to add Section 15-9-50 to the Code of Alabama 1975, to authorize arrests by out-of-state law enforcement officers in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-9-41, Code of Alabama 1975, is amended to read as follows:

"§15-9-41

~~(a) The arrest of a person may be lawfully made also by an officer or a private citizen.~~ An officer or private citizen, without a warrant, may lawfully arrest an individual upon reasonable information that the ~~accused~~ individual stands charged in the courts of another state with any of the following:

(1) a crime punishable by death or life.

(2) A crime punishable by imprisonment in the courts of another state for a term exceeding one year.

(3) Any crime otherwise punishable as a felony.

~~(b) When so arrested~~ Following an arrest pursuant to subsection (a), the accused arrestee must be taken receive a hearing before a district or circuit court judge with all practicable speed and. A complaint must be made against him or her under oath setting forth the ground for the arrest as in



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Section 15-9-40~~7~~. ~~and thereafter~~ Thereafter, his or her answer shall be heard as if he or she had been arrested on a warrant."

Section 2. Section 15-9-50 is added to the Code of Alabama 1975, to read as follows:

§15-9-50

(a) For the purposes of this section, the following terms have the following meanings:

(1) ARRESTING OFFICER. An officer, employee, or agent of any state or of any political subdivision of a state who is required by law to: (i) maintain public order; (ii) make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses; and (iii) investigate the commission or suspected commission of offenses.

(2) FELONY. Any of the following crimes committed in any state:

a. A crime punishable by death.

b. A crime punishable by imprisonment for a term exceeding one year.

c. Any crime otherwise punishable as a felony.

(3) FRESH PURSUIT. a. The term includes, but is not limited to, all of the following:

1. The term as defined by the common law.

2. The pursuit of an individual who has committed a felony or who is reasonably suspected of having committed a felony.

3. The pursuit of an individual suspected of having



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57 committed a supposed felony, though no felony has actually  
58 been committed, if there is reasonable ground for believing  
59 that a felony has been committed.

60         b. The term does not necessarily imply instant pursuit,  
61 but pursuit without unreasonable delay.

62         (4) POWER TO ARREST. The legal authority to arrest and  
63 hold an individual in custody that is equivalent in scope to  
64 an Alabama law enforcement officer's authority to arrest and  
65 hold in custody an individual believed to have committed a  
66 felony in this state.

67         (b) Any arresting officer of another state, while  
68 engaged in fresh pursuit of an individual believed to have  
69 committed a felony in that state, shall have the power to  
70 arrest that individual in this state.

71         (c) Subsection (b) shall not be construed to make any  
72 arrest in this state unlawful that would otherwise be lawful.

73         (d)(1) If an arrest is made in this state pursuant to  
74 subsection (b), the arresting officer, without unnecessary  
75 delay, shall take the individual before a district or circuit  
76 judge for the county in which the arrest was made. The judge  
77 shall conduct a hearing to determine the lawfulness of the  
78 arrest.

79         (2)a. If the judge determines that the arrest was  
80 lawful, he or she shall commit the individual to custody for a  
81 reasonable time to await the issuance of an extradition  
82 warrant or admit the individual to bail for the same purpose.

83         b. If the judge determines that the arrest was not  
84 lawful, he or she shall discharge the individual.



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85           Section 3. This act shall become effective immediately.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

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Senate 15-Jan-26

I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

\_\_\_\_\_  
House of Representatives

Passed: 27-Jan-26

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By: Senator Bell