

SB233 ENGROSSED



1 SB233
2 YMRFX6N-2
3 By Senator Bell
4 RFD: Judiciary
5 First Read: 29-Jan-26



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-10-52, Code of Alabama 1975; to include various conditions under which the crime of eluding or attempting to elude a law enforcement officer is subject to heightened criminal penalties; and to provide certain mandatory minimum penalties for multiple convictions of eluding or attempting to elude a law enforcement officer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-10-52, Code of Alabama 1975, is amended to read as follows:

"§13A-10-52

(a) It shall be unlawful for a person to intentionally flee by any means from anyone the person knows to be a law enforcement officer if the person knows the officer is attempting to arrest the person.

(b) It shall be unlawful for a person, while operating a motor vehicle on a street, road, alley, or highway in this state, to intentionally flee or attempt to elude a law enforcement officer after having received a signal from the officer to bring the vehicle to a stop.



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29 (c) (1) A violation of subsection (a) ~~or (b)~~ is a Class
30 A misdemeanor ~~Class D felony~~.

31 (2) A violation of subsection (b) is a Class D felony.

32 ~~(2)~~ (3) A violation of subsection (a) or (b) is a Class
33 C felony if any of the following occur:

34 a. The flight or attempt to elude causes the offender
35 to strike or collide with another vehicle or pedestrian.

36 b. The flight or attempt to elude causes physical
37 injury to any other person.

38 c. The flight or attempt to elude results in the
39 offender crossing the lines of this state into a neighboring
40 state.

41 d. During the flight or attempt to elude, a child under
42 14 years of age is present in the vehicle.

43 e. The flight or attempt to elude occurs while the
44 offender is released on bail, probation, or parole, or while
45 the offender is serving a sentence in a community corrections
46 or work release program.

47 f. At the time of the offense, the offender has a
48 previous conviction for a violation of subsection (a) or (b).

49 ~~(3)~~ (4) A violation of subsection (a) or (b) is a Class
50 B felony if ~~either~~ any of the following occur:

51 a. The flight or attempt to elude causes serious
52 physical injury or death to any other person.

53 b. During the flight or attempt to elude, the person
54 exceeds 20 miles per hour over the legal maximum speed limit.

55 c. During the flight or attempt to elude, the offender
56 strikes or attempts to strike a law enforcement officer or a



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57 vehicle occupied by a law enforcement officer.

58 d. At the time of the offense, the offender has two or
59 more previous convictions for a violation of subsection (a) or
60 (b).

61 (d) (1) Upon conviction for a violation of subsection
62 (a) or (b), the court shall order the suspension of the driver
63 license of the defendant for a period of not less than six
64 months nor more than two years.

65 (2) Upon a second conviction for a violation of
66 subsection (a) or (b) within a five year period of time, as
67 measured from the dates of previous arrests for which
68 convictions were obtained to the date of the current arrest
69 for which a conviction is obtained, the court shall sentence
70 the defendant to a minimum of 90 days confinement.

71 (3) Upon a third or subsequent conviction for a
72 violation of subsection (a) or (b) within a seven-year period
73 of time, as measured from the dates of previous arrests for
74 which convictions were obtained to the date of the current
75 arrest for which a conviction is obtained, the court shall
76 sentence the defendant to a minimum of 180 days confinement.

77 (e) It is not a violation of this section for an
78 individual to continue traveling at or below the speed limit,
79 with or without the vehicle's flashers turned on, with the
80 intent of stopping the vehicle at the nearest safe place."

81 Section 2. This act shall become effective on October
82 1, 2026.



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85 Senate

86 Read for the first time and referred29-Jan-26
87 to the Senate committee on Judiciary

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89 Read for the second time and placed03-Feb-26
90 on the calendar:
91 1 amendment

92
93 Read for the third time and passed24-Feb-26
94 as amended

95 Yeas 34
96 Nays 0
97 Abstains 0

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100 Patrick Harris,
101 Secretary.
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