



House Judiciary Reported Substitute for HB420

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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-11-61.1, Code of Alabama 1975, to revise the penalties for discharging a firearm into an occupied school bus or school building.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-11-61.1, Code of Alabama 1975, is amended to read as follows:

"§13A-11-61.1

(a) No person shall shoot or discharge a firearm into an occupied or unoccupied school bus or school building.

(1) A person who shoots or discharges a firearm into an occupied school bus or school building shall be guilty of a ~~Class B~~ Class A felony.

(2) A person who shoots or discharges a firearm into an unoccupied school bus or school building shall be guilty of a Class C felony.

(b) No person shall shoot or discharge a firearm on school property.

(1) A person who shoots or discharges a firearm on school property during school hours or during school



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29 activities after school hours^r shall be guilty of a Class B
30 felony.

31 (2) In circumstances other than those provided in
32 subdivision (1), a person who shoots or discharges a firearm
33 on school property shall be guilty of a Class C felony.

34 (c) A person shall not be in violation of this section
35 if the person is justified in using physical force pursuant to
36 Section 13A-3-23.

37 (d) A person shall not be in violation of this section
38 if he or she is engaging in an organized competition or school
39 ~~system sanctioned~~ system-sanctioned event involving the use of
40 a firearm or participating in or practicing for a performance
41 by an organized group under 26 U.S.C. § 501(c)(3) which uses
42 firearms as part of the performance or is on land leased from
43 a school system.

44 (e) For the purposes of this section, "school property"
45 does not include sixteenth section land or school lands,
46 pursuant to Section 16-20-1, held in trust for the benefit of
47 a school district, that do not have any school buildings^r and
48 ~~that is~~ are not actively used for the purpose of providing
49 educational or recreational activities to students.

50 ~~(f) A person shall not be in violation of this section~~
51 ~~if he or she is under 19 years of age.~~

52 ~~(g)~~ (f) This section shall not be construed to repeal
53 other criminal laws. Whenever conduct prescribed by any
54 provision of this section is also prescribed by any other
55 provision of law, the provision which carries the more serious
56 penalty shall be applied."



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57 Section 2. This act shall become effective on October
58 1, 2026.