



House Judiciary Reported Substitute for HB243

A BILL

TO BE ENTITLED

AN ACT

Relating to crimes and offenses; to amend Sections 13A-6-3, 13A-6-4, and 32-10-6, Code of Alabama 1975; to further provide for the crimes of manslaughter and criminally negligent homicide; to further provide for the criminal penalties for violations related to motor vehicle accidents; and to further provide for restitution.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Devinee Rooney and John Wesley Holt Safe Streets Act.

Section 2. Sections 13A-6-3, 13A-6-4, and 32-10-6, Code of Alabama 1975, are amended to read as follows:

"§13A-6-3

(a) A person commits the crime of manslaughter if he or she does any of the following:

(1) Recklessly causes the death of another ~~person~~individual.

(2) Causes the death of another ~~person~~individual under circumstances that would constitute murder under Section 13A-6-2; except, that he or she causes the death due to a sudden heat of passion caused by provocation recognized by

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law, and before a reasonable time for the passion to cool and for reason to reassert itself.

(3)a. Knowingly sells, furnishes, gives away, delivers, or distributes a controlled substance in violation of Section 13A-12-211, which contains fentanyl, any mixture containing fentanyl, any synthetic controlled substance fentanyl, or any synthetic controlled substance fentanyl analogue as described in Sections 20-2-23 and 20-2-25, and the ~~person~~ individual to whom the controlled substance is sold, furnished, given, delivered, or distributed dies as a proximate result of the use of the controlled substance; ~~provided, nothing~~. Nothing in this subdivision shall be construed to apply to a licensed physician engaged in the practice of medicine, a licensed pharmacist engaged in the practice of pharmacy, or a licensed dentist engaged in the practice of dentistry.

b. It is not a defense to this subdivision that the person who sold, furnished, gave away, delivered, or distributed the controlled substance had no knowledge that the controlled substance contained fentanyl, any mixture containing fentanyl, any synthetic controlled substance fentanyl, or any synthetic controlled substance fentanyl analogue as described in ~~Section~~ Sections 20-2-23 and 20-2-25.

(4) Drives or operates a motor vehicle or vessel in violation of Section 32-5A-191 or 32-5A-191.3, and causes the death of another individual.

(b) Manslaughter is a Class B felony."

"§13A-6-4

(a) A person commits the crime of criminally negligent

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homicide if he or she causes the death of another ~~person~~
individual by criminal negligence.

(b) The jury may consider statutes and ordinances regulating the actor's conduct in determining whether the actor is culpably negligent under subsection (a).

(c) Criminally negligent homicide is a Class A misdemeanor, ~~except in cases in which the criminally negligent homicide is caused by the driver or operator of a vehicle or vessel who is driving or operating the vehicle or vessel in violation of Section 32-5A-191 or 32-5A-191.3; in these cases, criminally negligent homicide is a Class C felony.~~"

"§32-10-6

(a) Every person convicted of violating Sections 32-10-1 through 32-10-5 ~~or any of the provisions thereof, when such violation involved only damage to property,~~ shall be punished ~~the same as prescribed by law for~~ as follows:

(1) For a violation involving only damage to property, a Class A misdemeanor, ~~provided, however, that every person convicted of violating such sections, or any provisions thereof, when such.~~

(2) For a violation ~~involved death or personal involving physical~~ injury, ~~shall be punished the same as prescribed by law for~~ a Class C felony.

(3) For a violation involving serious physical injury or death, a Class B felony.

(b) Any individual who suffers any damage or loss in connection with criminal conduct that results in a conviction for any violation of Sections 32-10-1 through 32-10-5 shall be



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85 considered a victim for the purposes of Article 4A of Chapter
86 18 of Title 15."

87 Section 3. This act shall become effective on October
88 1, 2026.