

1 HB256  
2 148180-1  
3 By Representatives Barton, Long, Sessions, Gaston, Clouse,  
4 Johnson (K) and Henry  
5 RFD: Judiciary  
6 First Read: 12-FEB-13

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8 SYNOPSIS: Under existing law, a person may be held  
9 liable in certain instances for injuries or damages  
10 to an alleged perpetrator injured in the commission  
11 of a crime.

12 This bill would provide civil immunity for a  
13 person who causes injury or damages by act or  
14 omission to a perpetrator in the commission or  
15 attempted commission of an offense against the  
16 person.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
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22 To provide civil immunity for a person who causes  
23 injury or damages to the perpetrator of an alleged criminal  
24 offense against the person.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. (a) No person shall be liable to a  
27 plaintiff in any civil action for damages if the damages were

1 incurred as a consequence of the commission, attempted  
2 commission, or flight subsequent to the commission or  
3 attempted commission of a crime by the plaintiff and the use  
4 of force by the defendant is justified.

5 (b) A crime victim who causes injury or damages to  
6 an alleged perpetrator during the commission of a crime shall  
7 not be liable for civil damages as a result of his or her acts  
8 or omissions unless the act or omission was unreasonable under  
9 the circumstances and the result of the victim's willful or  
10 wanton misconduct.

11 Section 2. This act shall become effective on the  
12 first day of the third month following its passage and  
13 approval by the Governor, or its otherwise becoming law.