

**HB272 ENROLLED**



1 QNAG15-2  
2 By Representatives Shaver, Bedsole, Butler, Harrison,  
3 Robertson, Hulsey, Pettus, Oliver, Colvin, Kitchens, Stringer,  
4 Woods, Treadaway, Starnes, Fincher, Easterbrook, Wood (R),  
5 Moore (P), Reynolds, Standridge, Carns, Stadthagen  
6 RFD: Judiciary  
7 First Read: 06-Apr-23  
8 2023 Regular Session



## HB272 Enrolled

1 Enrolled, An Act,

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3  
4 Relating to crimes and offenses; to amend Section  
5 13A-10-52, Code of Alabama 1975, to revise the criminal  
6 penalties for violations of fleeing or attempting to elude law  
7 enforcement; and in connection therewith would have as its  
8 purpose or effect the requirement of a new or increased  
9 expenditure of local funds within the meaning of Section  
10 111.05 of the Constitution of Alabama of 2022.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

14 "§13A-10-52

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

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

24 (c) (1) A violation of subsection (a) or (b) is a Class  
25 A misdemeanor ~~unless the~~.

26 (2) A violation of subsection (a) or (b) is a Class C  
27 felony if either of the following occur:

28 a. The flight or attempt to elude causes ~~an actual~~



## HB272 Enrolled

29 ~~death or~~ the offender to strike or collide with another vehicle  
30 or pedestrian.

31 b. The flight or attempt to elude causes physical  
32 injury to ~~innocent bystanders or third parties, in which case~~  
33 ~~the violation shall be a Class C felony. In addition, the~~ any  
34 other person.

35 c. The flight or attempt to elude results in the  
36 offender crossing the lines of this state into a neighboring  
37 state.

38 (3) A violation of subsection (a) or (b) is a Class B  
39 felony if either of the following occur:

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

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

44 (d) Upon conviction of subsection (a) or (b), the  
45 court shall order the suspension of the ~~driver's~~ driver  
46 license of the defendant for a period of not less than six  
47 months nor more than two years.

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

52 Section 2. Although this bill would have as its purpose  
53 or effect the requirement of a new or increased expenditure of  
54 local funds, the bill is excluded from further requirements  
55 and application under Section 111.05 of the Constitution of  
56 Alabama of 2022, because the bill defines a new crime or



## HB272 Enrolled

57 amends the definition of an existing crime.

58           Section 3. This act shall become effective on the first  
59 day of the third month following its passage and approval by  
60 the Governor, or its otherwise becoming law.



**HB272 Enrolled**

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 20-Apr-23.

John Treadwell  
Clerk

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Senate 01-Jun-23

Passed

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Senate 06-Jun-23

Concurred in  
Senate Amendment