

1 HB15
2 179658-1
3 By Representative Boyd
4 RFD: Public Safety and Homeland Security
5 First Read: 07-FEB-17
6 PFD: 10/13/2016

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8 SYNOPSIS: Under existing law, a person commits the
9 crime of resisting arrest if he or she
10 intentionally prevents or attempts to prevent the
11 lawful arrest of himself or herself or of another
12 person.

13 This bill would prohibit the arrest of a
14 person for the crime of resisting arrest unless the
15 law enforcement officer is concurrently arresting
16 the person for a separate, unrelated crime.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
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22 Relating to the crime of resisting arrest; to amend
23 Section 13A-10-41, Code of Alabama 1975, to prohibit the
24 arrest of a person for the crime of resisting arrest unless
25 the law enforcement officer is concurrently arresting the
26 person for a separate, unrelated crime.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 13A-10-41, Code of Alabama 1975,
2 is amended to read as follows:

3 "§13A-10-41.

4 "(a) A person commits the crime of resisting arrest
5 if he or she intentionally prevents or attempts to prevent a
6 ~~peace~~ law enforcement officer from affecting a lawful arrest
7 of himself or herself or of another person for a separate,
8 unrelated crime. A law enforcement officer may only arrest a
9 person for the crime of resisting arrest if the officer is
10 concurrently arresting the person for a separate, unrelated
11 crime.

12 "(b) Resisting arrest is a Class B misdemeanor."

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