

HB243 INTRODUCED



1 HB243
2 U9RPYGG-1
3 By Representative Wilcox
4 RFD: Judiciary
5 First Read: 14-Jan-26



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SYNOPSIS:

Under existing law, a person commits the crime of criminally negligent homicide if he or she causes the death of another individual by criminal negligence. Criminally negligent homicide is a Class A misdemeanor. However, in cases where the criminally negligent homicide is caused by the driver or operator of a vehicle or vessel who is under the influence of alcohol or a controlled substance, criminally negligent homicide is a Class C felony.

This bill would provide that a person commits the crime of manslaughter if he or she drives or operates a vehicle or vessel while under the influence of alcohol or a controlled substance and causes the death of another individual. Manslaughter is a Class B felony.

Under existing law, a violation of the legal requirements for individuals involved in a motor vehicle accident involving death or personal injury are punished for a Class C felony.

This bill would provide that a violation of the legal requirements for individuals involved in a motor vehicle accident shall be punished for a Class C felony if the violation involved a physical injury, and for a Class B felony if the violation involved a serious



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29 physical injury or a death.

30 This bill would also provide that any individual
31 who suffers any damage or loss in connection with
32 criminal conduct that results in a conviction for a
33 violation of the legal requirements for individuals
34 involved in a motor vehicle accident shall be
35 considered a victim for the purposes of restitution.

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A BILL

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TO BE ENTITLED

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AN ACT

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43 Relating to crimes and offenses; to amend Sections
44 13A-6-3, 13A-6-4, and 32-10-6, Code of Alabama 1975; to
45 further provide for the crimes of manslaughter and criminally
46 negligent homicide; to further provide for the criminal
47 penalties for violations related to motor vehicle accidents;
48 and to further provide for restitution.

49 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

54 "§13A-6-3

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



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

59 (2) Causes the death of another ~~person~~individual under
60 circumstances that would constitute murder under Section
61 13A-6-2; except, that he or she causes the death due to a
62 sudden heat of passion caused by provocation recognized by
63 law, and before a reasonable time for the passion to cool and
64 for reason to reassert itself.

65 (3)a. Knowingly sells, furnishes, gives away, delivers,
66 or distributes a controlled substance in violation of Section
67 13A-12-211, which contains fentanyl, any mixture containing
68 fentanyl, any synthetic controlled substance fentanyl, or any
69 synthetic controlled substance fentanyl analogue as described
70 in Sections 20-2-23 and 20-2-25, and the ~~person~~individual to
71 whom the controlled substance is sold, furnished, given,
72 delivered, or distributed dies as a proximate result of the
73 use of the controlled substance; ~~provided, nothing~~. Nothing
74 in this subdivision shall be construed to apply to a licensed
75 physician engaged in the practice of medicine, a licensed
76 pharmacist engaged in the practice of pharmacy, or a licensed
77 dentist engaged in the practice of dentistry.

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



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

88 (b) Manslaughter is a Class B felony."

89 "§13A-6-4

90 (a) A person commits the crime of criminally negligent
91 homicide if he or she causes the death of another ~~person~~
92 individual by criminal negligence.

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

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

102 "§32-10-6

103 (a) Every person convicted of violating Sections
104 32-10-1 through 32-10-5 ~~or any of the provisions thereof, when~~
105 ~~such violation involved only damage to property,~~ shall be
106 punished ~~the same as prescribed by law for~~ as follows:

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

111 (2) For a violation ~~involved death or personal~~
112 involving physical injury, ~~shall be punished the same as~~



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113 ~~prescribed by law for~~ a Class C felony.

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

116 (b) Any individual who suffers any damage or loss in
117 connection with criminal conduct that results in a conviction
118 for any violation of Sections 32-10-1 through 32-10-5 shall be
119 considered a victim for the purposes of Article 4A of Chapter
120 18 of Title 15."

121 Section 3. This act shall become effective on October
122 1, 2026.