

Sine Die Report

A Publication of the Alabama District Attorneys Association (ADAA) and the Office of Prosecution Services (OPS)



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The 2025 Session

The 2025 Regular Session of the Alabama Legislature adjourned *sine die* on Wednesday May 14, 2024, at 11:59 p.m. The 100-day session began on February 4, 2025. The Legislature introduced, enrolled, debated, amended, substituted, engrossed, and voted on 968 separate bills. Each of these bills were reviewed and evaluated by OPS staff to determine their potential impact on the criminal justice system, public safety, victims of crime, law enforcement, and prosecution. This session 310 Bills received final passage and were signed by the Governor. Of these 310 Bills, 176 were House Bills and 134 were Senate Bills.

Every legislative session, the team at the Office of Prosecution Services (OPS) identifies, briefs, and works diligently within the legislative process to ensure that each bill upholds the fair administration of justice and public safety. We hope that this *Sine Die Report* will serve as a valuable resource as it summarizes and reviews criminal justice impact bills that passed during the 2025 legislative session and were signed into law by Governor Kay Ivey.

Trisha Mellberg Cater



The Alabama State House, Montgomery Alabama

IMPACT LEGISLATION

PROSECUTORIAL FUNCTION

Advice to Law Enforcement

Act 2025-330

House Bill 38

Sponsor Representative Hill

This Act creates §§ 12-17-184.1 and 12-17-184.2 that establish legislative findings and state that a prosecuting attorney, who provides legal advice to law enforcement, as part of the investigatory and charging process, is a “vital prosecutorial function” and an inherent part of the prosecution of any criminal or civil law or rule, within the prosecuting attorney’s scope of authority.

Effective: May 13, 2025

FIREARMS

“Glock Switch”

Act 2025-54

Senate Bill 116

Sponsor Senator Barfoot

This Act prohibits a person from possessing, obtaining, receiving, selling or using, a part or combination of parts designed or intended to convert a pistol into a machine gun. A violation is a Class C felony.

The term “machine gun” is defined as any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person.

This Act does not apply to (1) a state or local law enforcement officer while acting in an official capacity; (2) a person who owns or has in his or her possession, control, care, or custody a firearm, part, or combination of parts that are registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms, and Explosives or is otherwise not subject to that registration requirement; or (3) any part,

combination of parts, or device designed or intended to increase a pistol's rate of fire, but that does not enable a semiautomatic pistol to fire more than two shots, without manual reloading, by a single function of the trigger.

Effective: March 19, 2025

Certain Persons Forbidden & Aniah's Law **Act 2025-273**

Senate Bill 119

Sponsor Senator Barfoot

This Act expands § 13A-11-72 (*certain persons forbidden to possess firearm*) to include, in addition to the current prohibited categories, (1) a person who has been convicted of a felony offense within the previous five years, or (2) a person who has been convicted of three or more felony offenses of any kind, at any time, so long as the offenses arose from different indictments, complaints, or on different dates. It is an affirmative defense if the person received a pardon pursuant to § 15-22-36 (*authority to grant pardons and paroles, remit fines and forfeitures, etc.; notice of board action*) that expressly restored the right to possess a firearm as to each conviction supporting the prosecution. A violation is a Class C felony.

This Act removes the limitation of possession of a deadly weapon with the intent to do bodily harm only at public schools.

This Act updates the definition of "misdemeanor offense of domestic violence" to include a misdemeanor offense that has, as its elements, the use or attempted use of physical force or the threatened use of a dangerous instrument or deadly weapon, and the victim is a current or former spouse, parent, step-parent, child, step-child, grandparent, step-grandparent, grandchild, step-grandchild, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating relationship with the defendant. It also updates the definition of "qualified individual" to include a victim as defined in § 30-5-2 (*definitions*) or an individual who cohabitates or has cohabited with the person. These changes make the definitions consistent with those in the domestic violence statutes.

Section 2 creates § 13A-11-72.2, a new Class C felony for a person who knowingly possesses a firearm after being released, pending or during trial, when charged with committing or attempting to commit a "crime of violence" as defined in § 13A-11-70 (*definitions*), a "misdemeanor offense of domestic violence" as defined in § 13A-11-72, or a "violent offense" as defined in § 12-25-32(15) (*definitions*). Unless waived by the defendant, a defendant may not be convicted under this section, unless first convicted of the crime of violence, misdemeanor offense of domestic violence, violent offense, or a lesser included offense, which gave rise to the charge that the defendant was released on, pending or during trial.

Section 3 amends **§13A-11-61** (*discharging firearm, etc., into occupied or unoccupied building, etc., prohibited; penalty*), increasing the penalty for shooting into an occupied dwelling, building, etc., from a Class B felony to a Class A felony.

Sections 15-22-32 (*parole court; hearing officers; sanctions; delegation of authority*) and **15-22-54** (*periods of probation; termination of probation; violation of terms of probation; sanctions*) are both amended to include convictions pursuant to **§13A-11-72** into the types of underlying offenses that require the board or court to fully revoke probation or parole after a hearing. In addition to new offenses, absconding or failing to complete court ordered treatment programs, if the parole or probation violation is for possessing a firearm, probation or parole may be fully revoked.

Section 4 expands **§15-13-3(b)** (*persons charged with capital murder; pretrial detention hearing; denial of bail in particular cases*), a.k.a. *Aniah's Law* to include in the list of possible charges that the court may deny bail after a detention hearing: (1) solicitation, attempt or conspiracy to commit murder, and (2) violations of **§13A-11-61(b)** for shooting or discharging a firearm, explosive, or other weapon into an occupied dwelling, building, railroad locomotive, railroad car, aircraft, automobile, truck, or watercraft.

If the prosecuting attorney files a motion with the court stating the prosecuting attorney is not requesting the defendant be denied bail, the court may waive the pretrial detention hearing. If either party requests an extension of the pretrial detention hearing, the court may construe the pretrial detention hearing as the preliminary hearing required pursuant to **§ 15-11-1**.

Effective: Sections 1, 2, and 3 are effective October 1, 2025. Section 4, related to amending *Aniah's Law*, shall be effective immediately upon approval by the voters of Act 2025-227 (Senate Bill 118) at the statewide primary election in 2026 and ratification by the Governor.

Constitutional Amendment for Aniah's Law, Act 2025-273

Act 2025-227

Senate Bill 118

Sponsor Senator Barfoot

This Act proposes a constitutional amendment to expand *Aniah's Law*, codified in **§15-13-3(b)** (*persons charged with capital murder; pretrial detention hearing; denial of bail in particular cases*), adding to the list of possible charges that the court may deny bail after a detention hearing to include (1) solicitation, attempt, or conspiracy to commit murder, and (2) violations of **§13A-11-61(b)** for shooting or discharging a firearm, explosive, or other weapon into an occupied dwelling, building, railroad locomotive, railroad car, aircraft, automobile, truck, or watercraft.

Effective: Upon approval by the voters at the statewide primary election in 2026 and ratification by the Governor.

SEX OFFENDERS & SEX OFFENSES

Employment Restrictions

Act 2025-201

House Bill 27

Sponsor Representative Underwood

This Act amends §§ 15-20A-13 (*adult sex offender – employment restrictions*) and 15-20A-31 (*juvenile sex offender – employment restrictions*) to prohibit sex offenders from being employed or volunteering as a first responder. **Section 15-20A-13(g)(1)** prohibits an adult sex offender from being employed or volunteering as a first responder. Also, **§ 15-20A-31(c)(1)** prohibits a juvenile sex offender from being employed or volunteering as a first responder. Both sections remain a Class C felony. Also, both sections define “first responder” as “a paramedic, firefighter, rescue squad member, emergency medical technician, or other individual who, in the course of his or her professional duties, responds to fire, medical, hazardous material, or other similar emergencies, whether compensated or not.” Additionally, both sections provide liability protection for employers or volunteer organizations that prohibit a sex offender from being employed as a first responder.

Effective: October 1, 2025

Human Trafficking 2nd Degree

Act 2025-368

House Bill 94

Sponsor Representative Givan

This Act amends § 13A-6-153 (*human trafficking in the second degree*), to add as an additional method of committing this offense, if a person “knowingly advertises, either online or in print, access to the sexual or labor servitude of another” and now reads in pertinent part:

(a) A person commits the crime of human trafficking in the second degree if:

(1) He or she knowingly benefits, financially or by receiving anything of value, from participation in a venture or engagement for the purpose of sexual servitude or labor servitude.

(2) He or she knowingly recruits, entices, solicits, induces, harbors, transports, holds, restrains, provides, maintains, subjects, or obtains by any means another person for the purpose of labor servitude or sexual servitude.

(3) He or she knowingly advertises, either online or in print, access to the sexual or labor servitude of another.

Effective: October 1, 2025

CRIMINAL OFFENSES

Impersonating Peace Officer

Act 2025-62

Senate Bill 115

Sponsor Senator Chambliss

This Act amends § 13A-10-11 (*impersonating peace officer*), to include two additional methods of committing this offense. **Subsection 13A-10-11(a)(2)** is added to prohibit a person who is employed or accepts an appointment as a peace officer and that person either (1) knows that they are not eligible to serve as a peace officer under the laws of this state; or (2) knows that their certification with the Alabama Peace Officers Standards and Training Commission (APOSTC) has been revoked or suspended. Also, § 13A-10-11(a)(3) is added as a method of violating this statute, if a person employs, appoints, or otherwise facilitates a person serving as a peace officer when they know the person is prohibited from serving as a peace officer under **subdivision (a)(2)**. A violation is a Class C felony.

Effective: October 1, 2025

Mail Theft

Act 2025-428

Senate Bill 108

Sponsor Senator Weaver

This Act creates the crime of mail theft and receiving stolen mail.

Mail theft occurs when a person takes mail addressed to another person from the addressee's mailbox or other premises, without the consent of the addressee, and with the intent to deprive the addressee of the mail. The offense is a Class A misdemeanor if mail is taken from less than ten addresses; a Class D felony if mail is taken from 10-29 addresses; and a Class C felony if mail is taken from 30 or more addresses. If mail theft is done with the intent to obtain sensitive personally identifying information, as defined in **Section 1** of the Act, to defraud the addressee and mail is taken from less than ten addresses, it is a Class C felony. If mail is taken from ten or more addresses, with the intent to obtain sensitive personally identifying information, it is a Class B felony.

A person commits the crime of receiving stolen mail if the person intentionally receives, retains, or disposes of stolen mail knowing that it has been stolen or having reasonable

grounds to believe it has been stolen, unless the mail is received, retained, or disposed of with intent to restore it to the owner. A person is deemed to have acted with the requisite intent, knowledge, and belief if any of the following occur: (1) on two separate occasions within a year prior to the commission of the offense of receiving stolen mail, the person is found in possession or control of stolen mail or other stolen property; (2) the person possesses stolen mail that has recently been stolen; or (3) the person regularly buys, sells, uses, or handles in the course of business property of the sort received, and acquired the property without making reasonable inquiry whether the person selling or delivering the property had a legal right to do so. The fact that the person who stole the mail has not been convicted, apprehended, or identified is not a defense to a charge of receiving stolen mail. Receiving stolen mail is a Class A misdemeanor. Receiving stolen mail with sensitive personally identifying information with intent to defraud the addressee is a Class C felony.

Effective: October 1, 2025

Aggravated Theft of Employee Retirement Benefits

Act 2025-367

Senate Bill 244

Sponsor Senator Melson

This Act adds § 13A-8-2.2 and creates the crime of aggravated theft of employee retirement benefits. A person commits the crime of aggravated theft of employee benefits if the person embezzles, steals, or unlawfully and willfully abstracts or converts to his or her own use or to the use of another, any of the monies, funds, premiums, credits, or other assets due to be paid as contributions to any employee retirement benefit plan, as defined in § 13A-8-2.2(a)(2), or to any fund connected with an employee retirement benefit plan.

Section 13A-8-2.2(b) creates an affirmative defense to a prosecution under this section if an individual, in the course of his or her employment, acts in good faith reliance upon the direction or supervision of another under color of law or in a position of authority.

Section 13A-8-2.2(c) sets the statute of limitations at six years which does not commence or begin to accrue until the discovery of the fact constituting the deception.

A violation is a Class C felony, and the maximum probation shall not exceed ten years unless otherwise authorized by law. The conviction shall be treated as a Class A or B felony for purposes of § 15-18-8 (*terms of confinement; etc.; probation*), (a.k.a. the split sentence act).

Effective: October 1, 2025

Unconscionable Pricing During Declared State of Emergency

Act 2025-341

House Bill 528

Sponsor Representative Holk-Jones

This Act amends § 8-31-3 (*prohibition of unconscionable pricing during declared state of emergency*) to also include as a violation, “the provision of any service,” in the prohibition against unconscionable pricing. Violations of this section are considered “deceptive trade practices” by reference to § 8-19-5 (*unlawful trade practices*) which are a Class A misdemeanor pursuant to § 8-19-12 (*violations*).

Effective: October 1, 2025

WILDLIFE & FORESTRY

Selling, Brokering, Processing Fresh or Frozen Seafood

Act 2025-445

House Bill 1

Sponsor Representative Brown

This Act amends § 9-12-125 (*licenses for selling, brokering, processing, etc., fresh or frozen seafood*), related to selling, brokering, trading, bartering, or processing of any fresh or frozen seafood in Alabama. **Section 9-12-125(a)** is created and it consists of the current version of this statute but it is amended into five subsections, mostly related to values of the types of seafood being sold, etc. It defines a “seafood dealer” and outlines the requirement and cost for dealer licenses as well as exemptions. **Section 9-12-125(a)(5)** makes it unlawful for any person to sell, broker, trade, barter, or process seafood without first purchasing a seafood dealer license. A violation of this section remains a Class A misdemeanor and the sentencing and fine enhancements for second, third, and subsequent violations also remain the same.

Effective: October 1, 2025

Aquatic Plants

Act 2025-48

Senate Bill 64

Sponsor Senator Livingston

This Act requires any person engaging in the business of cutting, trimming, severing, or uprooting aquatic plants within public waters, as defined in § 9-11-80 (*public and private waters defined*), to employ commercially reasonable methods. A violation is a Class C misdemeanor with a fine not less than \$500 to be remitted to the primary enforcing law enforcement agency.

The Department of Conservation and Natural Resources shall adopt rules to implement and administer this section, including establishing commercially reasonable methods for cutting, removing, etc. aquatic plant matter from public waters.

Effective: October 1, 2025

DRUGS, CONSUMABLE PRODUCTS & VAPES

Unlawful Possession and Sale of Inhalants

Act 2025-65

Senate Bill 78

Sponsor Senator Weaver

This Act creates the crime of unlawful possession of inhalants and unlawful sale of inhalants.

It is a violation of unlawful possession of inhalants for a person to inhale, ingest, use, or possess any compound, liquid, gas, or chemical which contains butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, or any mixtures containing butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, or any compound, liquid, gas, or chemical which contains nitrous oxide, commonly known as "laughing gas," or any amyl nitrite, commonly known as "poppers" or "snappers." A violation is a Class A misdemeanor.

It is a violation of unlawful sale of inhalants for a person to produce, manufacture, sell, offer for sale, or otherwise transfer any compound, liquid, gas, or chemical which contains butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, or any mixtures containing butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, nitrous oxide, commonly known as "laughing gas," or any amyl nitrite, commonly known as "poppers" or "snappers." A violation is a Class D felony.

Unlawful possession of inhalants and unlawful sale of inhalants do not apply to possession, production, manufacture, purchase, sale, or transfer of substances (1) by a licensed hospital, health care facility, or a licensed medical or dental practitioner, for the purposes of the lawful prescription, order, or administration to a patient, and the possession or use of the substances by a patient pursuant to a lawful prescription, order, or administration; (2) by a manufacturer as part of a manufacturing process or industrial operation by a person at least 21 years of age; (3) nitrous oxide as a propellant in food preparation for restaurant, food service, or houseware products by a person at least 21 years of age; or (4) use of nitrous oxide for automotive purposes by a person at least 21 years of age. The presence of additional flavoring in a substance or labeling on any part of a container of a substance

referring to the substance being flavored shall create a rebuttable presumption against the exceptions.

Effective: October 1, 2025

Hemp

Act 2025-385

House Bill 445

Sponsor Representative Whitt

This Act creates several new code sections, starting with **§ 28-12-1**, with the stated purpose to “protect the health and safety of Alabama residents from consumable [hemp] products, often marketed toward children, that purportedly contain hemp-derived compounds. Many of these products have not been tested nor do they meet quality and safety standards. It is the intent of the Legislature to subject all consumable hemp products available for sale in this state to be tested and labeled in accordance with strict standards and to prohibit the sale of these products to individuals under 21 years of age.” Medical cannabis as regulated under Chapter 2A of Title 20 is not regulated by this chapter. Also, this Act shall not be construed to affect or impede any activity relating to hemp which is regulated by the Department of Agriculture and Industries.

Section 28-12-3 sets forth the regulation of consumable hemp products distributed into or within the state as well as consumable hemp products offered for sale and sold to consumers. The Alcoholic Beverage Control Board (ABC) shall administer and enforce this chapter and adopt rules to facilitate the enforcement. Also, consumable hemp products distributed, sold, or offered for sale to consumers in this state in violation of this chapter shall be considered contraband and may be seized by the ABC board or its agents or any law enforcement officer of the state without a warrant.

Section 28-12-20 creates the requirements for distribution and sale of consumable hemp products into or within the state. No consumable hemp product may be distributed into or within the state, nor offered for sale or sold at retail within the state unless the product:

- (1) Has a corresponding certificate of analysis described in **§ 28-12-22** issued by an independent testing laboratory that tests the batch from which the product was produced;
- (2) Is in the original sealed container as packaged by the producer and meets the packaging restrictions in **§ 28-12-24**;
- (3) Meets the serving size and product content requirements, including total THC, described in **§ 28-12-23**; and
- (4) Meets the labeling requirements described in **§ 28-12-25**.

Every distributor and retailer must maintain and make available for inspections to any law enforcement officer and the ABC board a copy of the certificate of analysis of each consumable hemp product being distributed by a distributor or offered for sale by a retailer. A series of fines is created for first, second and third offenses within a four-year period.

Section 28-12-21 sets out the requirements that “independent testing laboratories” must meet to comply with the requirements of the Act.

Section 28-12-22 outlines the requirements and protocols for testing a consumable hemp product by an independent testing laboratory.

Section 28-12-23 outlines the requirements for consumable hemp products and their contents including (1) beverages or edible products, and (2) topical, sublingual, or other consumable hemp products not already included in (1). All edible consumable hemp products must be individually wrapped, and a carton may not contain more than 40mg of total THC. Beverages may not exceed 12 fluid ounces and a carton may not contain more than four 12-ounce containers.

Section 28-12-24 outlines the packaging requirements for consumable hemp products including a prohibition against branding that resembles products primarily consumed or marketed to children.

Section 28-12-25 outlines the labeling requirements for consumable hemp products.

Section 28-12-40 sets out, effective January 1, 2026, that consumable hemp products may only be sold in this state by retailers, licensed by the ABC board in accordance with this article, to adults 21 years of age or older. The ABC board may not issue a license unless the local governing body of the county or municipality where the licensee’s facility is located has approved the application for licensure. This section also outlines the application requirements.

Section 28-12-41 sets out the requirements for retailer license renewal.

Section 28-12-42 sets out the authority for the ABC board to suspend licenses.

Section 28-12-43 outlines the record keeping requirements for all licensees and the “[ABC] board and its authorized agents may enter upon the premises of any licensee at any time of the day or night as they deem necessary, for the detection of violations of this chapter, any law, or the rules of the board, or for the purpose of ascertaining the correctness of the records required to be kept by a licensee, including any record to verify the proper filing and to determine the accuracy of any state tax return required to be filed by a licensee, and to determine the payment of all state taxes when and where due with respect to any state tax levied on consumable hemp products by law.” **Section 28-12-43(c)** creates a new Class C misdemeanor for “[a]ny person who fails or refuses to keep and preserve the records as

required by this section or who, upon request by an authorized agent of the board, fails or refuses to allow an audit or inspection of records as provided in this section.”

Section 28-12-44 sets the penalties for any person who sells, attempts to sell, furnishes, provides, or gives away a consumable hemp product without a license or otherwise violates this section. Penalties shall be:

- (1) First offenses the board shall impose a civil penalty of \$5,000;
- (2) Second offenses the board shall impose a civil penalty of \$7,000; and
- (3) Third offenses, the board shall impose a civil penalty of \$10,000, the person shall be guilty of a Class C felony, and the court shall order the business license revoked.

Additionally, per **§ 28-12-44(d)**, all consumable hemp products in that person's possession shall be considered contraband and may be seized by the ABC board or its agents or any law enforcement officer of the state without a warrant.

Section 28-12-45 creates guidelines for retail establishments. All retail establishments, except for pharmacies and retail food stores selling beverage consumable hemp products, must be restricted so that only those individuals 21 years of age or older are permitted to enter and the establishment has its own dedicated public entrance. Also, the ABC board shall only issue retailer licenses to persons: (1) that have a valid retail liquor license from the ABC board that authorizes off-premises consumption only; or (2) that only sell consumable hemp products.

Topical and sublingual consumable hemp products may be sold in a pharmacy licensed by the Alabama State Board of Pharmacy, provided the pharmacy obtains a consumable hemp product retailer license from the ABC board and complies with this chapter and rules of the ABC board and can only be sold under the direct supervision of a licensed pharmacist.

Consumable hemp products that are beverages may be sold in a retail food store, provided the retail food store obtains a consumable hemp product retailer license from the ABC board and the products comply with this chapter and rules of the ABC board. Consumable hemp product beverages sold in a retail food store must be kept in an area that is:

- (1) Separated from nonalcoholic beverages or beverages intended for children;
- (2) Behind glass; and
- (3) Demarcated by a sign indicating that the beverages contain hemp-derived compounds.

This subsection does not prohibit a retailer described in **subsection (a)** from selling consumable hemp product beverages in that retailer's licensed premises. For the purposes of this subsection, a "retail food store" means any store commonly known as a supermarket, food store, or grocery store, primarily engaged in the retail sale of a variety of canned goods, frozen foods, nonalcoholic beverages, dry goods, either packaged or in bulk, and fresh produce or meats, and the store dedicates: (i) a minimum of 75 percent of the store's selling area to the sale of food items listed in this subdivision; and (ii) at least 14,000 square feet of the store's footprint to the sale of food items listed in this subdivision. This section contains several other requirements related to the retailer and how these products may be sold.

Section 28-12-46 prohibits retailers from selling any consumable hemp products for consumption on the licensed premises and from conducting tastings for customers. Also, consumable hemp products may not be sold using a vending or similar type machine. Those under 21 years old may be employed by a retail licensee to the same extent and under the same conditions set forth for employees of alcoholic beverage establishments in **§ 28-1-5(c)** (*minimum age for purchase, etc., of alcoholic beverage; employment of underage individuals by board licensee*).

Section 28-12-47 creates the reporting requirements for retailers that have to be submitted to the ABC board.

Section 28-12-48 creates a new offense for the sale of or for providing consumable hemp products to those under the age of 21 years old. Prior to initiating a sale or otherwise providing consumable hemp products to a customer, an employee of a retailer must verify that the customer is at least 21 years of age. Proof of age may be established only by one of the following:

- (1) A valid driver license of any state.
- (2) A valid United States Uniformed Service Identification card.
- (3) A valid passport.
- (4) A valid identification card issued by any agency of a state for the purpose of identification, bearing a photograph and date of birth of the individual in question.

Section 28-12-48(b) requires the ABC board to levy a penalty against any person, retailer licensee, or servant, agent, or employee of the retailer who sells, attempts to sell, delivers, furnishes, or gives away a consumable hemp product to an individual under 21 years of age.

Section 28-12-49 states any individual under 21 years of age who attempts to purchase, purchases, consumes, possesses, or transports consumable hemp products within this state, or who knowingly uses or attempts to use a false, forged, deceptive, or otherwise nongenuine driver license to obtain or attempt to obtain a consumable hemp product in this state, shall

be subject to the same penalties as provided in § 28-3A-25 (*unlawful acts and offenses; penalties*) for underage drinking.

Article 4 creates several new criminal penalties for violations of this Act. **Section 28-12-60** prohibits the direct shipment of consumable hemp products. Online sales, direct delivery, drive-through sales, and direct shipments of consumable hemp products within or into this state are strictly prohibited. For purposes of this section, "direct shipment" means the shipment of any consumable hemp product from any producer or retailer of consumable hemp products directly to an Alabama resident. The first violation is a Class A misdemeanor and second or subsequent violations are Class C felonies.

Section 28-12-61 creates a new Class C felony for the "sale or possession of a hemp product specifically excluded from the definition of a consumable hemp product [as defined in §28-12-2(5)]."

Section 28-12-62 sets forth the seizure and forfeiture process under this Act. Unlawful hemp products shall be considered contraband and may be seized by the ABC board or its agents or by any law enforcement officer of the state without a warrant. Per **§ 28-12-62(b)** "[a]ny consumable hemp products or unlawful hemp products which are kept, stored, or deposited in any place in this state for the purpose of unlawful sale, unlawful disposition, unlawful furnishing, or distribution, and the vessels and receptacles in which the products are contained, are declared to be contraband, shall be seized and forfeited to the state, and may be condemned for destruction pursuant to the procedures set out in **Article 11 of Chapter 4** [(*forfeiture and condemnation of contraband liquors and beverages, etc. (§ 28-4-250 to § 28-4-299)*)] concerning alcoholic beverages." Per **§ 28-12-62(c)** in any criminal prosecution for a violation of this chapter, upon conviction, the court may order the destruction of any consumable hemp products that were (i) sold, offered for sale, possessed, or otherwise disposed of by the defendant; (ii) possessed or used in conducting the business of a dealer; or (iii) used as evidence in the case. **Section 28-12-62(d)** sets out the proceeds, property obtained by proceeds, equipment, materials, and personal property used in substantial connection with the sale or possession of consumable hemp products or hemp products involved in a violation of this chapter shall be subject to forfeiture pursuant to the procedures set forth in **§ 20-2-93** (*forfeitures; seizures*). **Section 28-12-62(e)** creates a fee to be imposed on any person from whom an unlawful product is seized and destroyed, to be determined based on the cost of the destruction and disposal of the product as a hazardous waste.

Section 2 repeals **§ 13A-12-214.4** (*sale, distribution, etc., of psychoactive cannabinoids found in hemp to minors*) related to the sale of psychoactive cannabinoids found in or derived from hemp being sold to minors. It transfers regulation to the Alabama Alcoholic Beverage Control Board.

Effective: July 1, 2025

Alternative Nicotine Products

Act 2025-403

House Bill 8

Sponsor Representative Drummond

This Act amends several statutes §§ 28-11-2 (*definitions*), 28-11-3 (*minors enlisted to help board enforce state and federal laws*), 28-11-5 (*tobacco prevention materials; funding*), 28-11-6.1 (*vending machines*), 28-11-6.2 (*self-service displays*), 28-11-7 (*distribution permits*), 28-11-9 (*suspension or revocation of permit; hearing commission; fines*), 28-11-10 (*disposition of funds*), 28-11-12 (*advisory board*), 28-11-13 (*individuals under 21 years of age prohibited from possessing, transporting, etc., tobacco, electronic nicotine delivery system, etc.; exceptions; violations*), 28-11-14 (*fines for unlawful possession of contraband*), 28-11-16 (*advertising restrictions*), 28-11-17.1 (*certificate requirements for e-liquid manufacturers and manufacturers of alternative nicotine products; directory; FDA approval; violations*), and 28-11-18 (*child-restraint packaging; warning signs*), related to tobacco and alternative nicotine products and delivery systems. The amendments will now include e-liquid or tobacco substitutes that will bring vaping under these regulations. The amendments adjust the administrative fines that are applicable to businesses selling these products. Distribution of these types of delivery devices are prohibited from being distributed from vending machines, or from a self-service display unless the self-service display is located in a tobacco specialty store and in an area where those under 21 years old are prohibited. Distributors must be licensed before selling these devices.

The prohibitions for the purchase, use, possession, or transport by those under 21 years of age as well as various court ordered requirements for those who are under 19 years of age are found in § 28-11-13. [These offenses do not specify punishment and as such would be considered a violation pursuant to § 13A-5-4(c) (*designation of offenses*).] Violations of this Act are considered “delinquent acts” if committed by those who are under 19 years of age, and they shall be subject to the exclusive jurisdiction of the juvenile court. Upon the first violation, the person’s parent or legal guardian shall be notified, and the court shall require the person to attend an in-person vaping awareness, education and prevention class. For subsequent violations, the person’s parent or legal guardian shall be notified and the court shall require the person to attend a nonresidential addiction or substance abuse rehabilitation course approved by the Alabama Department of Public Health. If the person is under 19 years of age, their parent or legal guardian must attend the course with them. No court costs or fees that may be assessed under this subsection. Exclusive jurisdiction for those under 19 years is juvenile court, those age 19 to 21 will be in either municipal or district court.

Section 28-11-14 (*fines for unlawful possession of contraband*), allows for condemnation, forfeiture, seizure, searches, and destruction of prohibited items found in the possession of a person under the age of 21 years old, pursuant to the provisions of § 28-4-250, et. seq., (*forfeiture and condemnation of contraband liquors and beverages, etc.*). Similarly, § 28-4-250, et. seq., governs the seizure and condemnation of all fixtures, equipment, materials, and

personal property used in substantial connection with the sale or possession of prohibited items in this Act.

Section 3 requires the State Board of Education to adopt a model policy for the “establishment of a vape awareness, education, and prevention program to prohibit the possession and use of prohibited tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products by students in public K-12 schools.”

Effective: June 1, 2025

Consumable Vapor Products

Act 2025-377

House Bill 529

Sponsor Representative Faulkner

This Act creates several new code sections regulating “consumable vapor products” and amends §§ **28-11-2** (*definitions*), **28-11-7** (*distribution permits*), and **28-11-17.1** (*certification requirements for e-liquid manufacturers and manufacturers of alternative nicotine products; directory; FDA approval; violations*), related to permitting of retailers of these products as well as to provide criminal penalties for violations of these provisions. It authorizes the Alabama Department of Revenue (department) to regulate, license, and assess penalties for all who are engaged in the business of selling consumable vapor products and may adopt rules to enforce the Act.

Section 5 creates a Class B misdemeanor for those subject to the Act who fail to make any report required of them by the department. Each month’s failure shall constitute a separate offense. The Attorney General or counsel of the department may seek a restraining order against those in violation of the Act, from continuing to conduct business until they comply with the provisions of it.

Section 6 authorizes the ABC board or any law enforcement officer to confiscate any consumable vapor products in the possession of a person selling or offering for sale consumable vapor products that does not hold the permit required pursuant to § **28-11-7**. Any product confiscated in violation of this section shall be contraband and destroyed in a manner provided by the ABC board.

Section 28-11-2 is amended to include “consumable vapor products” as part of the definition of “e-liquid.” **Section 28-11-7** is amended to include the requirement of a permit from the ABC board for those who distribute alternative nicotine products or electronic nicotine delivery systems. **Sections 28-11-17.1** outlines the certification that is required for e-liquid and alternative nicotine product manufacturers.

Effective: October 1, 2025

SENTENCING

Split Sentences

Act 2025-381

House Bill 43

Sponsor Representative Hill

This Act amends § 15-18-8 (*terms of confinement, etc.; probation*) to allow splitting a sentence of up to 30 years for Class A, Class B, and Class C felonies. The amendment would allow sentences for Class A, Class B, and Class C felonies, that are “greater than 20 years but not more than 30 years” to be split “for a minimum period of 10 years...” This new subsection also includes language that the court may not suspend or alter the minimum period of confinement ordered and that the minimum period cannot be served in a county jail. Under the Act, for offenses committed on or after October 1, 2025, split sentence ranges would be:

Class A, Class B, Class C, and Class D felonies:

Sentence of up to 15 years, split of up to three years and probationary period as determined by the court.

Class A, Class B, and Class C felonies:

Sentence of greater than 15 years but not more than 20 years, split of between three to five years and probationary period as determined by the court.

Sentence of greater than 20 years but not more than 30 years, split for a minimum period of ten years and probationary period as determined by the court.

Effective: October 1, 2025

ELECTRONIC MONITORING

GPS Data

Act 2025-274

Senate Bill 134

Sponsor Senator Givhan

This Act creates § 15-22-26.3 which authorizes the Board of Pardons and Paroles to share electronic monitoring GPS data with local law enforcement agencies during and pertaining to an active investigation.

Effective: October 1, 2025

Juvenile Offenders

Act 2025-422

House Bill 199

Sponsor Representative Hendrix

This Act amends § 12-15-128 (*authority and criteria for continuation of detention or shelter care of children taken into custody beyond 72 hours*), to authorize the Board of Pardons and Paroles or any other state agency to provide electronic monitoring to children per § 12-15-128(c)(1). Currently, § 12-15-128(c) allows the juvenile court to use electronic or telephone monitoring upon release of a child from detention if it is available. This amendment would give the juvenile court discretion to order, as a condition of release, the Board of Pardons and Paroles or any other state agency to provide the electronic monitoring services that are currently authorized in this section for a juvenile offender who is charged with either a Class A felony, Class B felony, or Class C felony in which a dangerous weapon or deadly instrument, as defined in § 13A-1-2 (*definitions*), was used or attempted to be used in the commission of the Class C felony. However, if an alleged delinquent child is released and has been adjudicated or convicted of any three or more prior offenses, which would be classified as a felony if committed by an adult, electronic monitoring by the Board of Pardons and Paroles or other state agency is a mandatory requirement upon release.

Section 12-15-208(b)(3)a. (*facilities to be used for detention or shelter care of children generally; when child may be detained in jail or other facility for detention of adults; notification of juvenile court, when child received at facility for detention of adult offenders or persons charged with crimes; development of statewide system; department of youth services to subsidize detention in regional facilities may contract for detention; transfer of child to detention facility, when case transferred from juvenile court for criminal prosecution*) is amended relative to the detention of a status offender who is charged with or has committed a violation of a valid court order. The amendment will allow for a status offender, who is charged with or has committed a violation of a valid court order, to be detained for up to 72 hours for a first violation. For second or subsequent such violations, the court may detain a status offender for up to seven days, upon issuance of a written detention order that complies with 34 U.S.C. § 11133(a)(23)(C)(iii). Otherwise, this statute remains unchanged.

Effective: October 1, 2025

LAW ENFORCEMENT

Back the Blue

Act 2025-423

House Bill 202

Sponsor Representative Reynolds

This Act creates several new civil immunity statutes for law enforcement officers §§ 6-5-338.1 through 6-5-338.4 and repeals 6-5-338 (*immunity of peace officers and tactical medics from tort liability for conduct in the line of duty; certain employers of off-duty officers to maintain liability coverage*). This Act also amends §§ 13A-3-20 (*definitions*), 13A-3-27 (*use of force in making an arrest or preventing an escape*), and 13A-3-28 (*use of force in resisting arrest prohibited*), related to immunity for law enforcement officers in the criminal setting.

Section 1 creates § 6-5-338.1, et seq., setting forth civil liability immunity protection for law enforcement officers. These statutes shall apply prospectively. Also, **Section 6** repeals the current civil liability protection for law enforcement officers found in § 6-5-338.

Section 2 amends §§ 14-6-1 (*legal custody and charge of jails and prisoners; appointment of jailer*) and 36-22-3 (*duties generally*) related to sheriff's duties, to incorporate the definition of "within a law enforcement officer's discretionary authority" as defined in **Section 6-5-338.1**."

Section 3 amends § 13A-3-20 (*definitions*) to incorporate new definitions for this article (i.e., **Title 13A** (*criminal code*), **Chapter 3** (*defenses*), **Article 2** (*justification and excuse*)) for "conduct performed within a law enforcement officer's discretionary authority," "detention facility officer," and "law enforcement officer." Aside from these three new definitions, the existing definitions are renumbered but have not changed.

Section 13A-3-27 (*use of force in making an arrest or preventing an escape*) is amended to remove current § 13A-3-27(a)-(d) related to law enforcement officers, and replaces these subsections with the following, to incorporate the new definitions in § 13A-3-20 as well as to create new provisions for the use of "physical force" by a law enforcement officer stating:

(a) A law enforcement officer shall be justified in making any use of physical force against a person if the use of force is conduct performed within the law enforcement officer's discretionary authority and does not constitute excessive force as provided in **subsection (b)**.

(b) No law enforcement officer shall be justified, as provided in this section, for any use of physical force against a person if the use of force violates that

person's rights, under the Constitution of Alabama or the Constitution of the United States, to be free from excessive force.

Current **§ 13A-3-27(e)-(g)** that address the use of physical force and deadly physical force by either (1) someone directed by a law enforcement officer to assist the officer in making an arrest or preventing an escape; or (2) a private person acting on his own accord who is attempting to effectuate an arrest or prevent an escape, are renumbered as **§ 13A-3-27(c)-(e)**. Aside from incorporating the new terminology to accommodate the new definitions above, these provisions remain unchanged. Also, current **§ 13A-3-27(h)** that outlines immunity for a "guard or peace officer employed in a detention facility" has been removed as these officers have been incorporated into the definition of "law enforcement officer" in **§ 13A-3-20**, and their immunity would be the same as a law enforcement officer contained in **§ 13A-3-27(a)-(b)**.

Subsections 13A-3-27(f)-(i) outline the process for asserting immunity in a criminal case for (1) law enforcement officers, (2) those who are directed by a law enforcement officer to assist the officer in making an arrest or preventing an escape, and (3) a private person acting on his own accord who is attempting to effectuate an arrest or prevent an escape.

Section 13A-3-27(f) sets out immunity and the pretrial hearing process for a person who uses force, including deadly physical force as justified in this section. Also, this section is specifically tied by reference to the process contained in **§ 13A-3-23(d)** (*use of force in defense of a person*), i.e. stand your ground immunity.

Section 13A-3-27(g) creates the statutory ability of someone who is improperly denied immunity under this section to file a petition for writ of mandamus with the Alabama Supreme Court. If a petition for writ of mandamus is filed by someone who is improperly denied immunity under this section, the case is automatically stayed while the mandamus petition is pending.

Section 13A-3-27(h) states that law enforcement agencies that are investigating use of force described in **§ 13A-3-27(a)**, [i.e., use of force by law enforcement officers] may not arrest the person for using force unless it determines there is probable cause that the force was unlawful under **§ 13A-3-27**. This additional probable cause finding element prior to arrest does not apply to either (1) those who are directed by a law enforcement officer to assist the officer in making an arrest or preventing an escape or (2) a private person acting on his own accord who is attempting to effectuate an arrest or prevent an escape. These two categories are authorized to use force in sections **§ 13A-3-27(f)-(i)**, not **§ 13A-3-27(a)**, so this provision would not apply to either of them.

Section 13A-3-27(i) specifies that "[n]o justification or immunity set forth in this section shall affect the legal standards applicable to a motion made in a criminal proceeding regarding the suppression for use as evidence of anything obtained through an allegedly unlawful search or seizure."

Section 13A-3-28 (*use of force in resisting arrest prohibited*) is amended to replace “peace officer” with “law enforcement officer.”

Section 4 creates **§ 36-21-55.5** which states that each state, county, and municipal law enforcement agency must collect data outlined in this new section, for each use of force complaint received by the agency. The data must be reported no less than annually to the Alabama Peace Officers’ Standards and Training Commission.

Section 5 creates, effective October 1, 2026, the Joint Legislative Study Commission on Law Enforcement Legal Protections to “study the implementation and impact of the law enforcement legal protections established and enhanced by this Act.” The study commission shall report to the Legislature, no later than the tenth day of the 2027 Regular Session, its recommendations for further revisions of the Act “as needed to support the recruitment and retention of law enforcement officers and correctional officers in a cost-effective manner that benefits the residents of the State of Alabama.” After this report, the commission will be dissolved.

Effective: October 1, 2025

Transporting and Treating Injured Police Dogs

Act 2025-327

House Bill 366

Sponsor Representative Rehm

This Act creates the *Lakyn Canine Act* that authorizes “emergency medical services personnel” (EMSP) as defined in **§ 22-18-1** (*definitions*) to transport and treat police dogs that are injured in the line of duty. Treatment of a police dog under this Act could be provided at the scene or during the transportation to a veterinarian. Any EMSP personnel acting in good faith shall be immune from both civil and criminal liability as it relates to any injury or harm caused to the injured police dog.

Effective: October 1, 2025

Alabama Criminal Enterprise Database

Act 2025-393

Senate Bill 241

Sponsor Senator Bell

This Act amends **§ 13A-6-260** (*definitions*) and creates **§ 13A-6-264** which requires ALEA to establish a statewide inter-jurisdictional criminal intelligence system known as the Alabama Criminal Enterprise Database, subject to the availability of funding. **Section 13A-6-260** is amended to create a definition for a criminal justice agency, that includes law enforcement, prosecuting and corrections agencies, who may submit information for

inclusion in the database and, subject to rules established by the secretary, any criminal justice agency may access the database for legitimate law enforcement or criminal justice purposes.

The database may contain any information about a person reasonably suspected of criminal conduct or activity if the information is relevant to the person's suspected criminal conduct or activity, and is relevant to identifying an individual as a criminal enterprise member or identifying a criminal enterprise.

Database information is deemed confidential and not subject to public disclosure. Also, it shall not be used as evidence or be subject to discovery by subpoena or otherwise in a criminal, civil, or administrative proceeding except as required by the Constitution of Alabama of 2022, the Constitution of the United States, or as necessary for a criminal justice agency to pursue a legitimate law enforcement or criminal justice purpose. However, this shall not affect the disclosure, discovery, or admissibility of information that a criminal justice agency has in its possession, custody, or control by any means other than the agency's access to the database or submission of information to the database.

Each year, the Secretary of ALEA shall prepare a report detailing (1) the submissions to and access of the database; (2) the number of prosecutions aided by access to the database under § 13A-6-263 (*annual report*); and (3) the demographics of all individuals in the database.

Effective: June 1, 2025

Asset Forfeiture Reporting

Act 2025-355

Senate Bill 123

Sponsor Senator Orr

This Act amends § 41-9-655.03 (*annual report*) which requires the Alabama Justice Information Commission to submit an annual report to the Legislature and the Governor annually on civil asset forfeiture. This Act is amended to require the report to also include the civil case numbers assigned in state court.

Effective: October 1, 2025

COURTS

Accountability Courts

Act 2025-183

Senate Bill 200

Sponsor Senator Jones

This Act creates the *Honorable Pete Johnson Alabama Drug Offender Accountability Court Act*. Beginning with § 12-23A-1 (*short title*) it amends several of the subsequent code sections to change “Drug Courts” to “Accountability Courts” and expands the scope of these courts to include, but not be limited to, those individuals who are charged with or convicted of (1) a drug-related offense; (2) an offense in which substance abuse is determined from the evidence to have been a significant factor in the commission of the offense; or (3) an offense in which mental illness is determined from the evidence to have been a significant factor in the commission of the offense, or a veteran for whom substance abuse or mental illness is determined from the evidence to have been a significant factor in the commission of the offense. Accountability Courts may include pre-adjudication, post adjudication, reentry or some combination of these. Accountability Courts shall operate in compliance with policies and procedures adopted by the Administrative Office of Courts. Pursuant to § 12-23A-4 (*establishment of drug court; participation; incentives and sanctions; components; drug court team and advisory committee; coordinator*) the district attorney retains authority to establish a deferred prosecution program or pretrial diversion program within their judicial circuit, in accordance with local law or § 12-17-226, et. seq. (*pretrial diversion program*) or other laws. Additionally, the district attorney must consent for an offender to participate in an accountability court established under this section.

Effective: October 1, 2025

Speedy Trial Act

Act 2025-322

House Bill 307

Sponsor Representative Hill

This Act creates the *Speedy Trial Act* that would allow the Attorney General or a district attorney to petition the Chief Justice of the Alabama Supreme Court to appoint a sitting or retired judge to temporarily serve in a given circuit as a visiting judge for a specific case or cases arising from one or more violent offenses, as defined in § 12-25-32 (*definitions*).

Section 2(b) requires any request from the Attorney General or a district attorney, include both:

- (1) The specific criminal case assigned to the Attorney General or district attorney's office that he or she believes needs a visiting judge.

(2) The reasons the Attorney General or district attorney believes that the case needs a visiting judge.

Section 2(c) requires the Chief Justice to make a determination of a qualifying request to be made within 30 days after the receipt of the request. If the Chief Justice determines “approving the request would serve the public interest” the Chief Justice shall appoint a visiting judge, who shall serve until the final adjudication of the matter for which the judge is appointed. The Chief Justice “may take into account the availability of funds when making a determination.”

Section 2(d) grants all power, authority, and jurisdiction on the visiting judge for the “respective judgeship to which [they] have been appointed.”

Section 2(f) requires the county to provide adequate courtroom space for hearings and trials.

Section 2(g) governs the appointment of court reporters for the visiting judge. If the appointed visiting judge is a sitting judge, they may assign their official court reporter for hearings and trials in the host circuit. If the host circuit has a special roving reporter, the visiting judge may request them for hearings or trials. If either of these options are not available, the visiting judge may request a special court reporter for hearings and trials set by the visiting judge. If none of these options are available, the Attorney General or district attorney may contract with a court reporter for hearings and trials set by the visiting judge.

Section 2(h) requires the visiting judge to “make every effort to conduct jury trials during the host circuit’s scheduled jury weeks.” However, on motion of the Attorney General or district attorney, the visiting judge may empanel an additional jury if required to expedite the administration of justice. Also, the prohibition of specially setting a capital murder case in **§ 12-16-100** (*drawing, selection, and empaneling of juries in criminal cases - generally*) is superseded if the jury is empaneled pursuant to this Act.

Section 3 allows the presiding judge of each circuit to reassign a case to any other circuit or district judge in the circuit without regard to division or specialty.

Effective: June 1, 2025

Jurors

Act 2025-454

Senate Bill 76

Sponsor Senator Weaver

This Act creates *Parker’s Law* and amends **§ 12-16-63** (*excusing prospective jurors from service*) to add a nursing mother as an additional category of prospective jurors who may be

excused from service as a juror. A nursing mother seeking excusal shall provide the court with (1) a written statement that she is a nursing mother, and (2) a certificate of birth or other government document or medical record certifying the birth of the child she is nursing. An individual excused pursuant to this section shall be exempt from jury service for a period of 24 months. At the conclusion of the 24-month period, the individual may be directed to reappear for jury service at the court's direction.

Effective: October 1, 2025

Expungement

Act 2025-427

Senate Bill 88

Sponsor Senator Orr

This Act amends § 15-27-5 (*objections; hearings; ruling*) that currently provides that if no objection to a petition for expungement was filed by the prosecuting authority or victim, the court having jurisdiction over the matter shall rule on the merits of the petition without setting the matter for hearing. This Act allows the judge to set a hearing on a petition for expungement even if there is no objection to the expungement.

Effective: October 1, 2025

OFFICE MANAGEMENT

State Holidays

Act 2025-303

House Bill 165

Sponsor Representative Rehm

This Act amends § 1-3-8 (*holidays enumerated; personal leave days; state holidays observed by closing of state offices; compensatory leave days*) related to state holidays. Juneteenth is added to the list of state holidays and set on June 19 of each year. The current provisions related to Mardi Gras in Baldwin and Mobile Counties, personal leave days for all state employees not in Baldwin or Mobile Counties, as well as the provisions related to state employees working on state holidays and receiving compensatory leave or paid compensation in lieu of the holiday all remain in effect.

Effective: June 1, 2025

Postnatal Care

Act 2025-81

Senate Bill 199

Sponsor Senator Figures

This Act creates the *Alabama Public Employee Paid Parental Leave Act of 2025*, codified in § 36-6A-1, et. seq. It establishes that mothers who are eligible state employees and have been employed for at least 12 consecutive months are to be provided eight weeks of paid postnatal care. This would apply for birth, stillbirth, or miscarriage (if after 12 weeks). This Act also provides two weeks for fathers.

An eligible employee shall be entitled to eight weeks of parental leave for adoption, provided the child is three years of age or younger at the time that he or she is placed with the employee. If the parents are both eligible employees, one parent shall be entitled to eight weeks and one parent shall be entitled to two weeks.

Prior to taking paid parental leave, the employee (1) shall provide the applicable employing agency a written plan regarding his or her intended use of the parental leave and any other leave he or she intends to take in connection with the qualifying event; and (2) agree in writing with the employing agency not to separate from employment for a period of at least eight weeks following the conclusion of leave. However, this may be waived by the employing agency if the employee is unable to return to work based on a serious health condition of the employee or of an immediate family member. If the employee fails to comply with the return-to-work agreement the employing agency may recover, by offset or otherwise, an amount equal to the employee's hourly rate of pay multiplied by the number of hours the eligible employee failed to work in compliance with the return-to-work agreement.

An employee may use parental leave intermittently or on a reduced leave schedule within one year. Lastly, parental leave does not require an employee to use or exhaust sick leave, annual leave, or any other leave or paid time off.

The State Personnel Department shall adopt rules to implement and administer this Act. The rules shall provide for each employee to receive written notice upon his or her hiring of (1) the right to parental leave; (2) the number of weeks of parental leave; and (3) the procedure for taking parental leave.

Effective: July 1, 2025

ELECTIONS

Primary Elections

Act 2025-283

House Bill 258

Sponsor Representative Carns

This Act amends § 17-13-3 (*time and place for holding primary elections*) to change the primary date in off-presidential years from the current fourth Tuesday in May to “the Tuesday in May preceding Memorial Day.” Presidential primary elections remain the first Tuesday in March and special primary elections continue to be held following the issuance of a proclamation by the Governor.

Effective: May 6, 2025

Statement of Economic Interest

Act 2025-282

House Bill 250

Sponsor Representative Underwood

This Act amends § 36-25-15 (*candidates required to file statements of economic interest; notification requirements; failure to submit statement*) related to the timing for filing a statement of economic interest with the Ethics Commission for candidates for office. Under current law, a candidate must file not more than five days after the candidate files their qualifying papers with the appropriate election officials. The amendment to this section would change the deadline to not more than five days after the deadline to file a declaration of candidacy as provided in § 17-13-5 (*filing of declaration of candidacy; certification of names of candidates; preparation of ballots; unopposed candidates*) and for independent candidates, not more than five days after the date of the first primary election. Also, if a candidate has already filed a current statement of economic interests for a reason other than his or her candidacy, the candidate shall, by the deadline provided by this subsection, provide proof to the commission that a current statement has already been submitted or file a new or amended statement. **Section 36-25-14(a)(3)** (*filing of statement of economic interests*) is amended to incorporate the changes made to § 36-25-15.

Effective: October 1, 2025

LOCAL LAWS

Act 2025-126 (Etowah County)

House Bill 294

Sponsor Representative Butler

This Act provides for the sale, use, and destruction of certain abandoned, stolen, and unclaimed property by the Etowah County Drug Enforcement Unit and specifies the requirements for the sale and disposition of proceeds thereof.

Effective: October 1, 2025

Act 2025-109 (Calhoun County)

Senate Bill 41

Sponsor Senator Kelley

Act 2025-88 (Calhoun County)

House Bill 211

Sponsor Representative R. Wood

These Acts authorize the County Commission and the governing bodies of municipalities, by resolution, to regulate halfway houses and other similar facilities. Any regulation shall prohibit registered sex offenders from residing in any facility that houses any resident who is enrolled in the facility by court order or who is supervised by the Calhoun County Community Punishment and Corrections Authority, Inc.

Effective: June 1, 2025 (Act 2025-109)

Effective: June 1, 2025, and repealed June 1, 2028 (Act 2025-88)

Act 2025-293 (Baldwin & Mobile Counties)

House Bill 437

Sponsor Representative Faulkner

This Act creates the *LuLu Gribbin Shark Alert System Act* which establishes a shark alert system for Baldwin and Mobile Counties. The Act provides for the development, implementation, and operation of the alert system by the Department of Conservation and Natural Resources with assistance from other agencies of the state and political subdivisions.

Effective: October 1, 2025

Act 2025-443 (Lauderdale County)

House Bill 392

Sponsor Representative Pettus

This Act authorizes an annual supplemental compensation from the County Commission for the chief assistant district attorney and three assistant district attorneys for the Eleventh Judicial Circuit.

Effective: May 21, 2025

RESOLUTIONS

Act 2025-244

House Joint Resolution 163

Sponsor Representative Hill

This Act creates the Joint Interim Study Commission on Court Costs to study court costs and make recommendations to make court costs more uniform throughout the state. District Attorneys are represented by two district attorneys appointed by the President of the Alabama District Attorneys Association. Additionally, the Executive Director of the Office of Prosecution Services, or his or her designee is also assigned to the study commission.

The study commission shall prepare a report of its recommendations for proposed legislation to the Legislature by the 5th legislative day of the 2026 Regular Session, at which point the study commission shall stand dissolved and discharged of any future duties and liabilities.

Effective: May 1, 2025

***DISCLAIMER:** This document contains excerpts and/or summaries of the source materials discussed therein and should not be used in lieu of the original source materials. Information dealing with a specific legal matter should be researched by the reader from original and current sources of authority.

TO OBTAIN A COPY OF A LEGISLATIVE ACT

If you would like a copy of any Act of the Legislature from the 2025 legislative session or from a prior year, please follow these directions.

To view a PDF of the actual legislation that is signed by the Governor, go to the Alabama Secretary of State's web site at <http://www.sos.alabama.gov>. Across the top of the screen is a tab labeled "Records":

- Click "Records" and you will be provided a drop-down menu.
- Click the link for "Legislative Acts" and you will find a list of options titled "Legislative Acts Search Options."
- Click on the "Act Number" to search by an act's number or click on "Bill Number" to search by the bill's number.
- Once you have entered the act or bill number, you will be taken to a page where you can click on "View Image" at the bottom of the page which will take you to a PDF of the act.

If you have any difficulty in accessing an act or need any assistance in obtaining an act referenced in this *Sine Die Report*, please do not hesitate to call the Office of Prosecution Services at 334-242-4191.

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Office of Prosecution Services, OPS

Mission Statement

To improve the criminal justice system of Alabama by promoting professionalism through education, legislation, fiscal services, and information; and to be advocates for the administration of justice; to be persons of honor, courage, and humility; to be firm and uncompromising in our principles, with fairness and honesty as our standard.

