Section 13A-5-3

Classification of offenses.

(a) Offenses are designated as felonies, misdemeanors or violations.
(b) Felonies are classified according to the relative seriousness of the offense into three categories:
(1) Class A felonies;
(2) Class B felonies; and
(3) Class C felonies.
(c) Misdemeanors are classified according to the relative seriousness of the offense into three categories:
(1) Class A misdemeanors;
(2) Class B misdemeanors; and
(3) Class C misdemeanors.
(d) Violations are not classified.

(Acts 1977, No. 607, p. 812, §1210.)

Section 13A-5-6

Sentences of imprisonment for felonies.

(a) Sentences for felonies shall be for a definite term of imprisonment, which imprisonment includes hard labor, within the following limitations:
(1) For a Class A felony, for life or not more than 99 years or less than 10 years.
(2) For a Class B felony, not more than 20 years or less than 2 years.
(3) For a Class C felony, not more than 10 years or less than 1 year and 1 day.
(4) For a Class A felony in which a firearm or deadly weapon was used or attempted to be used in the commission of the felony, not less than 20 years.
(5) For a Class B or C felony in which a firearm or deadly weapon was used or attempted to be used in the commission of the felony, not less than 10 years.
(b) The actual time of release within the limitations established by subsection (a) of this section shall be determined under procedures established elsewhere by law.

(Acts 1977, No. 607, p. 812, §1225; Acts 1981, No. 81-840, p. 1505.)

Section 13A-5-11

Fines for felonies.

(a) A sentence to pay a fine for a felony shall be for a definite amount, fixed by the court, within the following limitations:
(1) For a Class A felony, not more than $20,000.00;
(2) For a Class B felony, not more than $10,000.00;
(3) For a Class C felony, not more than $5,000.00; or
(4) Any amount not exceeding double the pecuniary gain to the defendant or loss to the victim caused by the commission of the offense.

(b) As used in this section, "gain" means the amount of money or the value of property derived from the commission of the crime, less the amount of money or the value of property returned to the victim of the crime or seized or surrendered to lawful authority prior to the time sentence is imposed. "Value" shall be determined by the standards established in subdivision (14) of Section 13A-8-1.
(c) The court may conduct a hearing upon the issue of defendant's gain or the victim's loss from the crime according to procedures established by rule of court.

(Acts 1977, No. 607, p. 812, §1240.)

Section 13A-5-7

Sentences of imprisonment for misdemeanors and violations.

(a) Sentences for misdemeanors shall be a definite term of imprisonment in the county jail or to hard labor for the county, within the following limitations:
(1) For a Class A misdemeanor, not more than one year.
(2) For a Class B misdemeanor, not more than six months.
(3) For a Class C misdemeanor, not more than three months.
(b) Sentences for violations shall be for a definite term of imprisonment in the county jail, not to exceed 30 days.

(Acts 1977, No. 607, p. 812, §1230; Acts 1978, No. 770, p. 1110.)

Section 13A-5-12

Fines for misdemeanors and violations.

(a) A sentence to pay a fine for a misdemeanor shall be for a definite amount, fixed by the court, within the following limitations:
(1) For a Class A misdemeanor, not more than $2,000.00;
(2) For a Class B misdemeanor, not more than $1,000.00;
(3) For a Class C misdemeanor, not more than $500.00; or
(4) Any amount not exceeding double the pecuniary gain to the defendant or loss to the victim caused by the commission of the offense.
(b) A sentence to pay a fine for a violation shall be for a definite amount, fixed by the court, not to exceed $200.00, or any amount not exceeding double the pecuniary gain to the defendant or loss to the victim caused by the commission of the offense.
(c) As used in this section, "gain" means the amount of money or the value of property derived from the commission of the crime, less the amount of money or the value of property returned to the victim of the crime or seized or surrendered to lawful authority prior to the time sentence is imposed. "Value" shall be determined by the standards established in subdivision (14) of Section 13A-8-1.
(d) The court may conduct a hearing upon the issue of defendant's gain or the victim's loss from the crime according to procedures established by rule of court.

(Acts 1977, No. 607, p. 812, §1245; Acts 1979, No. 79-471, p. 862, §1.)

Section 13A-11-8

Harassment or harassing communications.

(a)(1) HARASSMENT.- A person commits the crime of harassment if, with intent to harass, annoy, or alarm another person, he or she either:
a. Strikes, shoves, kicks, or otherwise touches a person or subjects him or her to physical contact.
b. Directs abusive or obscene language or makes an obscene gesture towards another person.
(2) For purposes of this section, harassment shall include a threat, verbal or nonverbal, made with the intent to carry out the threat, that would cause a reasonable person who is the target of the threat to fear for his or her safety.
(3) Harassment is a Class C misdemeanor.
(b)(1) HARASSING COMMUNICATIONS. - A person commits the crime of harassing communications if, with intent to harass or alarm another person, he or she does any of the following:
a. Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written or electronic communication, in a manner likely to harass or cause alarm.
b. Makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication.
c. Telephones another person and addresses to or about such other person any lewd or obscene words or language.
Nothing in this section shall apply to legitimate business telephone communications.
(2) Harassing communications is a Class C misdemeanor.

(Acts 1977, No. 607, p. 812, §5530; Acts 1978, No. 770, p. 1110, §1; Acts 1979, No. 79-471, p. 862, §1; Acts 1996, No. 96-767, p. 1353, §1; Acts 1997, No. 97-552, p. 989, §1.)

Section 13A-6-23

Menacing.

(a) A person commits the crime of menacing if, by physical action, he intentionally places or attempts to place another person in fear of imminent serious physical injury.
(b) Menacing is a Class B misdemeanor.

(Acts 1977, No. 607, p. 812, §2110.)

Section 13A-6-20

Assault in the first degree.

(a) A person commits the crime of assault in the first degree if:
(1) With intent to cause serious physical injury to another person, he causes serious physical injury to any person by means of a deadly weapon or a dangerous instrument; or
(2) With intent to disfigure another person seriously and permanently, or to destroy, amputate or disable permanently a member or organ of his body, he causes such an injury to any person; or
(3) Under circumstances manifesting extreme indifference to the value of human life, he recklessly engages in conduct which creates a grave risk of death to another person, and thereby causes serious physical injury to any person; or
(4) In the course of and in furtherance of the commission or attempted commission of arson in the first degree, burglary in the first or second degree, escape in the first degree, kidnapping in

the first degree, rape in the first degree, robbery in any degree, sodomy in the first degree or any other felony clearly dangerous to human life, or of immediate flight therefrom, he causes a serious physical injury to another person; or
(5) While driving under the influence of alcohol or a controlled substance or any combination thereof in violation of Section 32-5A-191 he causes serious bodily injury to the person of another with a motor vehicle.
(b) Assault in the first degree is a Class B felony.

(Acts 1977, No. 607, p. 812, §2101; Acts 1987, No. 87-712, p. 1259.)

Section 13A-6-21

Assault in the second degree.

(a) A person commits the crime of assault in the second degree if the person does any of the following:
(1) With intent to cause serious physical injury to another person, he or she causes serious physical injury to any person.
(2) With intent to cause physical injury to another person, he or she causes physical injury to any person by means of a deadly weapon or a dangerous instrument.
(3) He or she recklessly causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument.
(4) With intent to prevent a peace officer, as defined in Section 36-21-60, or emergency medical personnel or a firefighter from performing a lawful duty, he or she intends to cause physical injury and he or she causes physical injury to any person.
(5) With intent to cause physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his or her duty, he or she causes physical injury to any person.
(6) For a purpose other than lawful medical or therapeutic treatment, he or she intentionally causes stupor, unconsciousness, or other physical or mental impairment or injury to another person by administering to him or her, without his or her consent, a drug, substance or preparation capable of producing the intended harm.
(b) Assault in the second degree is a Class C felony.

(Acts 1977, No. 607, p. 812, §2102; Acts 1994, 1st Ex. Sess., No. 94-794, §1; Acts 1996, No. 96-533, p. 744, §1.)

Section 13A-6-22

Assault in the third degree.

(a) A person commits the crime of assault in the third degree if:
(1) With intent to cause physical injury to another person, he causes physical injury to any person; or
(2) He recklessly causes physical injury to another person; or
(3) With criminal negligence he causes physical injury to another person by means of a deadly weapon or a dangerous instrument; or
(4) With intent to prevent a peace officer from performing a lawful duty, he causes physical injury to any person.
(b) Assault in the third degree is a Class A misdemeanor.

(Acts 1977, No. 607, p. 812, §2103.)

Section 13A-11-9

Loitering.

(a) A person commits the crime of loitering if he:
(1) Loiters, remains or wanders about in a public place for the purpose of begging; or
(2) Loiters or remains in a public place for the purpose of gambling; or
(3) Loiters or remains in a public place for the purpose of engaging or soliciting another person to engage in prostitution or deviate sexual intercourse; or
(4) Being masked, loiters, remains or congregates in a public place; or
(5) Loiters or remains in or about a school, college or university building or grounds after having been told to leave by any authorized official of such school, college or university, and not having any reason or relationship involving custody of or responsibility for a pupil or any other specific, legitimate reason for being there, and not having written permission from a school, college or university administrator; or
(6) Loiters or remains in any transportation facility, unless specifically authorized to do so, for the purpose of soliciting or engaging in any business, trade or commercial transactions involving the sale of merchandise or services; or
(7) Loiters or remains in any place with one or more persons for purpose of unlawfully using or possessing a dangerous drug.
(b) A person does not commit a crime under subdivision (a)(4) of this section if he is going to or from or staying at a masquerade party, or is participating in a public parade or presentation of an educational, religious, or historical character or in an event as defined in subdivision (1) of Section 13A-11-140.
(c) "Deviate sexual intercourse" in subdivision (a)(3) of this section is defined as in subdivision (2) of Section 13A-6-60.
(d) "Dangerous drug" in subdivision (a)(7) of this section means any narcotic, drug or controlled substance as defined in Chapter 2 of Title 20 of this Code and any schedule incorporated therein.
(e) Loitering is a violation.

(Acts 1977, No. 607, p. 812, §5540.)