

1 SB275
2 133129-1
3 By Senator McGill
4 RFD: Judiciary
5 First Read: 09-FEB-12

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8 SYNOPSIS: Under existing law, a state or county inmate
9 may participate in a work release program under
10 certain conditions.

11 This bill would require the forfeiture of
12 any earnings being held in the account of the
13 inmate by the Department of Corrections if the
14 inmate is a state inmate or the county if the
15 inmate is a county inmate if the inmate escapes
16 from custody while on work release.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
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22 To amend Sections 14-8-6 and 14-8-37 of the Code of
23 Alabama 1975, relating to inmate earnings while on work
24 release; to require the forfeiture of any earnings held in the
25 account of the inmate if the inmate escapes from custody while
26 on work release.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 14-8-6 and 14-8-37 of the Code
2 of Alabama 1975, are amended to read as follows:

3 "§14-8-6.

4 "(a) The employer of an inmate involved in work
5 release shall pay the inmate's wages directly to the
6 Department of Corrections. The department may adopt
7 regulations concerning the disbursement of any earnings of the
8 inmates involved in work release. The department is authorized
9 to withhold from an inmate's earnings the cost incident to the
10 inmate's confinement as the department shall deem appropriate
11 and reasonable. In no event shall the withheld earnings exceed
12 40 percent of the earnings of the inmate. After all expenses
13 have been deducted by the department, the remainder of the
14 inmate's earnings shall be credited to his or her account with
15 the department. Upon his or her release all moneys being held
16 by the department shall be paid over to the inmate.

17 "(b) If an inmate is convicted of escape in the
18 first, second, or third degree for escaping while the inmate
19 was on work release, any earnings being held in the account of
20 the inmate shall be forfeited to the department.

21 "§14-8-37.

22 "(a) The employer of an inmate involved in work
23 release pursuant to this article shall send the inmate's wages
24 directly to the county or its designated agent. Of each
25 inmate's earnings, 25 percent of ~~his~~ the gross wages shall be
26 applied to the costs incident to the inmate's confinement. If
27 the cost of confinement of a state inmate as agreed upon in

1 the maintenance contract authorized in Section 14-8-31 exceeds
2 25 percent of ~~his~~ the gross wages, the board shall pay the
3 difference to the county. The remainder of the inmate's wages
4 shall be credited to ~~his~~ the inmate's account with the county
5 and shall be paid out as the inmate requests to furnish ~~his~~
6 clothing, medical and dental care, spending money, savings, or
7 dependent support.

8 "(b) If an inmate is convicted of escape in the
9 first, second, or third degree for escaping while the inmate
10 was on work release, any earnings being held in the account of
11 the inmate shall be forfeited to the department if the inmate
12 is a state inmate or to the county if the inmate is a county
13 inmate."

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