

1 HB544
2 119627-2
3 By Representative Page
4 RFD: Government Appropriations
5 First Read: 11-FEB-10

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Section 12-5A-5, Code of Alabama 1975,
9 relating to juvenile probation officers, to provide that if
10 the Administrative Office of Courts reduces funding by a
11 certain percentage for state juvenile probation services, the
12 salary subsidies for those juvenile probation officers in
13 counties having a population of more than 99,000, according to
14 the 1990 federal decennial census, shall be reduced by the
15 same percentage.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 12-5A-5 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§12-5A-5.

20 "(a) On the effective date of this chapter, any
21 juvenile probation officer serving the juvenile court and any
22 clerical employee or professional staff member who supports
23 the juvenile probation officers shall become the base group of
24 employees to be transitioned to be employees of the State of
25 Alabama and be included in the state court system personnel
26 system. The foregoing provision shall have no application or

1 effect as to any position that is established and filled after
2 passage of this chapter, unless prior written approval for the
3 additional position is provided by the Administrative Director
4 of Courts, nor shall it apply to any position or employee
5 whose primary responsibility involves support to a juvenile
6 detention or shelter care facility. Any controversy regarding
7 the composition of that class of persons or positions
8 qualifying as court personnel under this chapter shall be
9 determined by the Administrative Director of Courts whose
10 decision shall be final.

11 "(b) Beginning October 1, 1998, the Administrative
12 Office of Courts shall provide salary subsidies to each county
13 for juvenile probation officers and shall continue those
14 subsidies until the beginning of the fiscal year in which the
15 juvenile probation officers are assumed by the state court
16 system personnel system.

17 "(1) The Administrative Office of Courts shall
18 allocate salary subsidies to each county for juvenile
19 probation officers on the basis of one salary subsidy per
20 15,000 population or a fraction thereof. Provided, however, if
21 legislation is enacted to provide additional salary subsidies
22 for additional juvenile probation officers, the salary subsidy
23 ratio as provided herein shall be adjusted accordingly. The
24 last federal decennial census shall be used for these
25 calculations. If there are counties with a population of less

1 than 30,000 which do not provide matching funds, the salary of
2 one probation officer may be fully funded per county.

3 "(2) The Administrative Office of Courts shall
4 expend funds to provide a salary subsidy of twenty-two
5 thousand dollars (\$22,000) or one-half of the total salary
6 actually paid to a juvenile probation officer, whichever is
7 greater, for the number of probation officers' subsidies
8 provided to a county in the formula in subdivision (1). The
9 subsidy shall be paid to each county only for juvenile
10 probation officers authorized and employed. Employment for
11 purposes of this subdivision includes temporary vacancies of
12 30 days or less. Salary rates and ranges for juvenile
13 probation officers shall be established by county personnel
14 boards, county commissions, or any other local entities. These
15 salary rates and ranges shall be adjusted to reflect a minimum
16 salary for juvenile probation officers of twenty-two thousand
17 dollars (\$22,000) effective October 1, 1994. In adjusting the
18 salary rates and ranges of juvenile probation officers, no
19 county shall reduce the portion it pays for any probation
20 officer salary below the salary level in effect on January 1,
21 1994.

22 "(3) On the first day of the fiscal year in which
23 the juvenile probation officers of a county are transitioned
24 to the state court system personnel system, juvenile probation
25 officer salary subsidies shall no longer be paid to that
26 county. ~~Counties having a population of more than 99,000~~

1 ~~according to the 1990 federal decennial census~~ which were not
2 transitioned to the state court system personnel system shall
3 continue to receive salary subsidies as provided in
4 subdivisions (1) and (2). Provided, however, if the
5 Administrative Office of Courts reduces funding by a certain
6 percentage for state juvenile probation services, the salary
7 subsidies in subdivisions (1) and (2) shall be reduced by the
8 same percentage."

9 Section 2. Jefferson County shall be exempt from the
10 provisions of this amendatory bill.

11 Section 3. ~~This act shall become effective on the~~
12 ~~first day of the third month following its passage and~~
13 ~~approval by the Governor, or its otherwise becoming law. This~~
14 act shall become effective immediately following its passage
15 and approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Government Ap-
propriations 11-FEB-10

Read for the second time and placed
on the calendar with 1 substitute
and 03-MAR-10

Read for the third time and passed
as amended 03-MAR-10

Yeas 84, Nays 3, Abstains 1

Greg Pappas
Clerk