

1 SB415
2 117349-1
3 By Senator Keahey
4 RFD: Finance and Taxation General Fund
5 First Read: 11-FEB-10

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8 SYNOPSIS: Under existing law, juvenile probation
9 officers in counties having a population of 99,000
10 or less according to the 1990 federal census are
11 state employees under the administration of the
12 Administrative Office of Courts, and juvenile
13 probation officers in counties having a population
14 of more than 99,000 are county employees and paid
15 on a pay scale set by the county but subsidized by
16 the state.

17 This bill would provide that if the
18 Administrative Office of Courts reduces funding by
19 a certain percentage for state juvenile probation
20 services, the salary subsidies for those juvenile
21 probation officers in counties having a population
22 of more than 99,000 according to the 1990 federal
23 decennial census shall be reduced by the same
24 percentage.

25
26 A BILL
27 TO BE ENTITLED

1 AN ACT

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

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 12-5A-5 of the Code of Alabama
13 1975, is amended to read as follows:

14 "§12-5A-5.

15 "(a) On the effective date of this chapter, any
16 juvenile probation officer serving the juvenile court and any
17 clerical employee or professional staff member who supports
18 the juvenile probation officers shall become the base group of
19 employees to be transitioned to be employees of the State of
20 Alabama and be included in the state court system personnel
21 system. The foregoing provision shall have no application or
22 effect as to any position that is established and filled after
23 passage of this chapter, unless prior written approval for the
24 additional position is provided by the Administrative Director
25 of Courts, nor shall it apply to any position or employee
26 whose primary responsibility involves support to a juvenile
27 detention or shelter care facility. Any controversy regarding

1 the composition of that class of persons or positions
2 qualifying as court personnel under this chapter shall be
3 determined by the Administrative Director of Courts whose
4 decision shall be final.

5 "(b) Beginning October 1, 1998, the Administrative
6 Office of Courts shall provide salary subsidies to each county
7 for juvenile probation officers and shall continue those
8 subsidies until the beginning of the fiscal year in which the
9 juvenile probation officers are assumed by the state court
10 system personnel system.

11 "(1) The Administrative Office of Courts shall
12 allocate salary subsidies to each county for juvenile
13 probation officers on the basis of one salary subsidy per
14 15,000 population or a fraction thereof. Provided, however, if
15 legislation is enacted to provide additional salary subsidies
16 for additional juvenile probation officers, the salary subsidy
17 ratio as provided herein shall be adjusted accordingly. The
18 last federal decennial census shall be used for these
19 calculations. If there are counties with a population of less
20 than 30,000 which do not provide matching funds, the salary of
21 one probation officer may be fully funded per county.

22 "(2) The Administrative Office of Courts shall
23 expend funds to provide a salary subsidy of twenty-two
24 thousand dollars (\$22,000) or one-half of the total salary
25 actually paid to a juvenile probation officer, whichever is
26 greater, for the number of probation officers' subsidies
27 provided to a county in the formula in subdivision (1). The

1 subsidy shall be paid to each county only for juvenile
2 probation officers authorized and employed. Employment for
3 purposes of this subdivision includes temporary vacancies of
4 30 days or less. Salary rates and ranges for juvenile
5 probation officers shall be established by county personnel
6 boards, county commissions, or any other local entities. These
7 salary rates and ranges shall be adjusted to reflect a minimum
8 salary for juvenile probation officers of twenty-two thousand
9 dollars (\$22,000) effective October 1, 1994. In adjusting the
10 salary rates and ranges of juvenile probation officers, no
11 county shall reduce the portion it pays for any probation
12 officer salary below the salary level in effect on January 1,
13 1994.

14 "(3) On the first day of the fiscal year in which
15 the juvenile probation officers of a county are transitioned
16 to the state court system personnel system, juvenile probation
17 officer salary subsidies shall no longer be paid to that
18 county. ~~Counties having a population of more than 99,000~~
19 ~~according to the 1990 federal decennial census~~ which were not
20 transitioned to the state court system personnel system shall
21 continue to receive salary subsidies as provided in
22 subdivisions (1) and (2). Provided, however, if the
23 Administrative Office of Courts reduces funding by a certain
24 percentage for state juvenile probation services, the salary
25 subsidies in subdivisions (1) and (2) shall be reduced by the
26 same percentage."

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