- 1 HB72
- 2 207824-3
- 3 By Representative Hill
- 4 RFD: Judiciary
- 5 First Read: 02-FEB-21
- 6 PFD: 11/30/2020

1	ENGROSSED
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to the mandatory supervised release of
9	inmates; to amend Section 15-22-26.2, Code of Alabama 1975, to
10	apply certain sentencing provisions to certain defendants.
11	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
12	Section 1. Section 15-22-26.2, Code of Alabama 1975,
13	is amended to read as follows:
14	"§15-22-26.2.
15	"(a) A convicted defendant sentenced to a period of
16	confinement under the supervision of the Department of
17	Corrections shall be subject to the following provisions,
18	unless the defendant is released to a term of probation or
19	released on parole under the provisions of Chapter 22 of Title
20	15 this chapter:
21	"(1) If the defendant is sentenced to a period of
22	five years or less, he or she shall be released by the
23	<u>department</u> to supervision by the Board of Pardons and Paroles
24	no less than three months and no more than five months prior
25	to the defendant's release date; .
26	"(2) If the defendant is sentenced to a period of
27	more than five years but less than 10 years, he or she shall

be released by the department to supervision by the Board of Pardons and Paroles no less than six months and no more than nine months prior to the defendant's release date; or.

- "(3) If the defendant is sentenced to a period of 10 years or more, he or she shall be released by the department to supervision by the Board of Pardons and Paroles no less than $\frac{12}{10}$ months and no more than $\frac{24}{12}$ months prior to the defendant's release date.
- "(b) The provisions of this This section shall not apply to a defendant convicted of any sex offense involving a child, as defined in Section 15-20A-4.
- "(c) Prior to the defendant's release to supervision pursuant to this section, notice of such the release shall be provided by the department to the victim and interested parties through the victim notification system established pursuant to Section 15-22-36.2 and under the provisions of Section 15-22-36.
- "(d) (1) Release of an An offender released to supervision pursuant to this section shall be release to an intensive program under released to the supervision of the Board of Pardons and Paroles and shall be subject to this article.
- "(2) The board shall determine the level of supervision required for an offender based on the results of a validated risk and needs assessment.

1	"(e) This section applies to a defendant in the
2	custody of the department without regard to when he or she was
3	sentenced for or committed the crime."
4	Section 2. This act shall become effective on
5	January 31, 2022, following its passage and approval by the
6	Governor, or its otherwise becoming law. This act shall become
7	effective on January 31, 2022, following its passage and
8	approval by the Governor, or its otherwise becoming law,
9	contingent upon certification by the Director of Finance that
10	sufficient funds have been appropriated to the Board of
11	Pardons and Paroles to implement this act.

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Judiciary 02-FEB-21
8 9	Read for the second time and placed on the calendar 24-FEB-21
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11 12	Read for the third time and passed as amended 16-MAR-21
13	Yeas 58, Nays 38, Abstains 1
14 15 16 17	Jeff Woodard Clerk