

1 HB412
2 209992-1
3 By Representative Hill
4 RFD: Judiciary
5 First Read: 11-FEB-21

SYNOPSIS: Under existing law, certain inmates nearing the end of their sentence must be released to an intensive program under the supervision of the Board of Pardons and Paroles.

This bill would remove the requirements that inmates be subject to an intensive program and would require inmates be released to the supervision of the Board of Pardons and Paroles.

This bill would also provide that inmates released or paroled be subject to sanctions for parole violations.

A BILL
TO BE ENTITLED
AN ACT

Relating to the mandatory release of inmates; to amend Section 15-22-26.2, Code of Alabama 1975, to further provide for supervision for certain parolees; and to provide

1 that parolees be subject to sanctions for violations of
2 parole.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 15-22-26.2, Code of Alabama 1975,
5 is amended to read as follows:

6 "§15-22-26.2.

7 "(a) A ~~convicted~~ defendant sentenced to a period of
8 confinement under the supervision of the Department of
9 Corrections shall be subject to the following provisions,
10 unless the defendant is released to a term of probation or
11 released on parole ~~under the provisions of Chapter 22 of Title~~
12 ~~15~~:

13 "(1) ~~If the~~ A defendant ~~is~~ sentenced to a period of
14 five years or less, ~~he or she~~ shall be released by the
15 department to supervision by the Board of Pardons and Paroles
16 no less than three months and no more than five months prior
17 to the defendant's release date, ~~or~~.

18 "(2) ~~If the~~ A defendant ~~is~~ sentenced to a period of
19 more than five years but less than 10 years, ~~he or she~~ shall
20 be released by the department to supervision by the Board of
21 Pardons and Paroles no less than six months and no more than
22 nine months prior to the defendant's release date, ~~or~~.

23 "(3) ~~If the~~ A defendant ~~is~~ sentenced to a period of
24 10 years or more, ~~he or she~~ shall be released by the
25 department to supervision by the Board of Pardons and Paroles
26 no less than 12 months and no more than 24 months prior to the
27 defendant's release date.

1 "~~The provisions of this~~ This section shall not
2 apply to a defendant convicted of any sex offense involving a
3 child, as defined in Section 15-20A-4.

4 "(c) Prior to the defendant's release to supervision
5 pursuant to this section, notice of ~~such~~ the release shall be
6 provided by the department to the victim and interested
7 parties through the victim notification system established
8 pursuant to Section 15-22-36.2 ~~and under the provisions of~~
9 ~~Section 15-22-36.~~

10 "~~Release of an~~ An offender released to
11 supervision pursuant to this section shall be ~~release to an~~
12 ~~intensive program under~~ released to the supervision of the
13 Board of Pardons and Paroles as a parolee, and shall be
14 subject to sanctions for violating conditions of his or her
15 parole pursuant to Section 15-22-29 and 15-22-32."

16 Section 2. This act shall become effective 30 days
17 following its passage and approval by the Governor, or its
18 otherwise becoming law.