

1 SB252
2 165696-1
3 By Senator Whatley
4 RFD: Judiciary
5 First Read: 17-MAR-15

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8 SYNOPSIS: Existing law provides for a court referral
9 program that may be utilized by the courts for
10 defendants charged with alcohol or drug-related
11 offenses.

12 This bill would provide that if a defendant
13 is not referred directly to drug or alcohol
14 treatment, the judge would decide which level of
15 the alcohol and drug education program certified by
16 the Administrative Office of Courts that a
17 defendant would complete.

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19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 To amend Section 12-23-6 of the Code of Alabama
24 1975, relating to the authority of courts to refer defendants
25 charged with alcohol or drug-related offenses to treatment, or
26 education programs, or both; to further provide that the judge

1 would decide which level of the education program a defendant
2 would complete.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 12-23-6 of the Code of Alabama
5 1975, is amended to read as follows:

6 "§12-23-6.

7 In order to effect the purposes of this chapter, all
8 courts exercising jurisdiction over alcohol and drug related
9 offenses shall be authorized to refer a defendant to a court
10 referral program for evaluation and referral to an appropriate
11 education and/or treatment program. At a minimum, every
12 defendant who is not referred directly to drug or alcohol
13 treatment shall be required to complete an alcohol and drug
14 education program certified by the Administrative Office of
15 Courts. If a defendant is not referred directly to drug or
16 alcohol treatment, the judge may order which level of the
17 alcohol and drug education program certified by the
18 Administrative Office of Courts that a defendant shall
19 complete."

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