

1 HB454  
2 137801-2  
3 By Representative Wood  
4 RFD: Public Safety and Homeland Security  
5 First Read: 01-MAR-12

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ENROLLED, An Act,

To amend Section 15-22-2, Code of Alabama 1975, to increase the supervision fee to be collected from parolees and probationers supervised by the Board of Pardons and Paroles and to eliminate the requirement that the fees be paid by the fifth of each month.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-22-2, Code of Alabama 1975, is amended to read as follows:

"§15-22-2.

"(a) (1) Any person who is placed on parole by the Board of Pardons and Paroles or any person who is granted probation by a court of competent jurisdiction and who is subject to supervision by the Board of Pardons and Paroles, and who has an income shall be required to contribute ~~thirty dollars (\$30)~~ ~~fifty dollars (\$50)~~ forty dollars (\$40) per month toward the cost of his or her supervision and rehabilitation beginning 30 days from the date he or she has an income. The sum shall be deducted by the parolee or probationer from his or her monthly income and delivered to the Board of Pardons and Paroles ~~on or before the fifth day of~~ each month for deposit in the General Fund of the State Treasury ~~on or before the tenth day of each month~~. By prior agreement between an employer and employee, an employer may

1 deduct ~~thirty dollars (\$30) fifty dollars (\$50)~~ forty dollars  
2 (\$40) from the monthly net earned income of the parolee or  
3 probationer and remit the amount to the Board of Pardons and  
4 Paroles ~~by the fifth day of~~ each month. The responsibility of  
5 assuring the contribution shall remain that of the parolee or  
6 probationer. Exemptions from payments required by this section  
7 may be granted for undue hardship on a case by case basis by  
8 the sentencing court in probation and the Board of Pardons and  
9 Paroles in parole cases.

10 "(2) In the event of over two months' arrearage or  
11 delinquency in making a contribution, the arrearage or  
12 delinquency shall constitute sufficient ground for revocation  
13 of the parole or probation of the person in arrears.

14 "(3) There ~~shall be~~ is established a Probationer's  
15 Upkeep Fund. All moneys received pursuant to this section  
16 since August 24, 1976, shall be transferred by the State  
17 Treasury into the fund for the credit and use of the Board of  
18 Pardons and Paroles and all sums collected pursuant thereto  
19 after May 5, 1977, shall be deposited into the Treasury to the  
20 credit of the fund. All funds shall be withdrawn or expended  
21 only for the purposes stated in this section. The funds are  
22 hereby appropriated to the Board of Pardons and Paroles for  
23 the purposes stated in this section.

24 "(4) After December 31, 2015, the sum contributed or  
25 deducted by parolees and probationers under supervision with

1 the Board of Pardons and Paroles pursuant to this section  
2 shall be reduced from forty dollars (\$40) to thirty dollars  
3 (\$30) per month.

4 ~~"There is hereby appropriated for the current fiscal~~  
5 ~~year \$50,000.00 from said fund to the Board of Pardons and~~  
6 ~~Paroles for the purposes of supervising parolees and~~  
7 ~~probationers who are gainfully employed.~~

8 "(b) The amount of contribution of each parolee and  
9 probationer of his or her monthly net earned income shall be  
10 excluded from the taxable income of the person for the purpose  
11 of determining the state income tax liability of the person.

12 "(c) A parolee or probationer authorized to work at  
13 paid employment in the community under this section shall  
14 comply with all rules and regulations promulgated by the Board  
15 of Pardons and Paroles."

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

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 12-APR-12.

Greg Pappas  
Clerk

Senate	10-MAY-12	Amended and Passed
House	16-MAY-12	Concurred in Senate Amendment