

1 HB52  
2 215981-3  
3 By Representative Hill  
4 RFD: Judiciary  
5 First Read: 11-JAN-22  
6 PFD: 01/06/2022

1 ENGROSSED

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
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8 Relating to crimes and offenses, to provide that a  
9 judge may use discretion in the length of sentence a defendant  
10 must serve if his or her probation is revoked, including the  
11 ability to resplit the sentence within the remainder of the  
12 sentence.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. (a) Notwithstanding any other law to the  
15 contrary, if a defendant's probation is revoked, and the  
16 defendant was sentenced pursuant to Section 15-18-8, Code of  
17 Alabama 1975, the sentencing judge may determine the length of  
18 revocation sentence, including the ability to resplit the  
19 sentence within the remainder of the sentence pursuant to  
20 Section 15-18-8, Code of Alabama 1975. If the revocation  
21 sentence imposed is less than the length of time remaining on  
22 the original sentence, the remainder of the sentence shall be  
23 suspended and the defendant may be placed on probation for a  
24 period and upon terms as the court deems best.

25 (b) This act shall apply to any defendant who is  
26 subject to probation without regard to when he or she was  
27 sentenced for or committed the crime.

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

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House of Representatives

Read for the first time and re-		
ferred to the House of Representa-		
tives committee on Judiciary .....	.....	11-JAN-22
Read for the second time and placed		
on the calendar 1 amendment .....	.....	09-FEB-22
Read for the third time and passed		
as amended.....	.....	16-FEB-22
Yeas 71, Nays 28, Abstains 0		

Jeff Woodard  
Clerk