

1 SJR56
2 217790-1
3 By Senators Singleton and Orr
4 RFD:
5 First Read: 24-FEB-22

CREATING THE STUDY COMMISSION ON FINANCIAL
OBLIGATIONS IN PRETRIAL SERVICES AND ALTERNATIVE COURTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
HOUSES THEREOF CONCURRING, That the Study Commission on
Financial Obligations in Pretrial Services and Alternative
Courts is established.

(a) The purpose of this study commission shall be to
study and ascertain all costs associated with participation in
pretrial programs and alternative courts that program and
court participants are expected to pay including, but not
limited to, application fees, up-front costs for
participation, monthly fees, drug testing fees, fees to access
services and programs not directly supplied by the supervising
entity or courts, and electronic monitoring. The study
commission should prioritize ascertaining the financial
obligations for participants who are charged with felonies and
are accessing pretrial services or alternative courts.

(b) The study commission shall be composed of the
following members:

1 (1) The Executive Director of the Alabama Sentencing
2 Commission, or his or her designee, who shall serve as the
3 chair of the study commission.

4 (2) Two members of the House of Representatives,
5 appointed by the Speaker of the House of Representatives, and
6 one member of the House of Representatives appointed by the
7 House Minority Leader.

8 (3) Two members of the Senate appointed by the
9 President Pro Tempore of the Senate, and one member of the
10 Senate appointed by the Senate Minority Leader.

11 (4) A circuit judge, appointed by the President of
12 the Alabama Association of Circuit Judges.

13 (5) A circuit judge, appointed by the Alabama
14 Supreme Court.

15 (6) A district attorney, appointed by the Alabama
16 District Attorneys Association.

17 (7) The Executive Director of the Alabama Office of
18 Prosecution Services, or his or her designee.

19 (8) A practicing attorney, appointed by the Alabama
20 Bar Association.

21 (9) A representative of a legal research
22 organization, appointed by the President of the Alabama
23 Association of Circuit Judges.

24 (10) A representative of a legal research
25 organization, appointed by the Executive Director of the
26 Alabama Prosecution Services.

1 (11) A representative appointed by the Association
2 of County Commissions of Alabama.

3 (12) The Director of the Alabama Commission on the
4 Evaluation of Services, or his or her designee.

5 (c) All appointing authorities shall coordinate
6 their appointments to assure the study commission is inclusive
7 and reflects the racial, gender, geographic, urban, rural, and
8 economic diversity of the state.

9 (d) Each member shall serve at the pleasure of his
10 or her appointing authority. A vacancy in the membership shall
11 be filled in the same manner as the original appointment.

12 (e) Members of the study commission shall serve
13 without compensation, but may be reimbursed for expenses in
14 the following manner:

15 (1) The legislative members of the study commission
16 shall be entitled to their legislative compensation, per diem,
17 and travel expenses for each day they attend a meeting of the
18 study commission, in accordance with Amendment 871 of the
19 Constitution of Alabama of 1901, now appearing as Section
20 49.01 of the Official ReCompilation of the Constitution of
21 1901, as amended.

22 (2) Non-legislative members of the study commission
23 may be reimbursed for necessary expenses in attending meetings
24 of the commission according to the policies and procedures of
25 their respective appointing authority.

1 (f) A majority of the members of the study
2 commission shall constitute a quorum for the transaction of
3 all business at a regular or special meeting.

4 (g) The Alabama Commission on the Evaluation of
5 Services may provide assistance to the study commission in the
6 fulfillment of the purpose of the study commission and the
7 study commission may provide assistance to the Alabama
8 Commission on the Evaluation of Services with any evaluation
9 of pretrial services or alternative court programs it conducts
10 while the study commission is operational.

11 (h) The study commission shall hold its first
12 meeting no later than September 1, 2022. Each appointment made
13 shall be indicated to the chair of the study commission no
14 later than the first day of the third month following the
15 passage of this resolution.

16 (i) The study commission shall submit a report of
17 its findings, compiling all financial obligations borne by
18 participants and recommendations for Legislative action, to
19 the Senate President Pro Tempore and the Speaker of the House
20 of Representatives on or before the first day of the 2023
21 Regular Legislative Session, at which time the study
22 commission shall be dissolved.