

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

8 CREATING THE STUDY COMMISSION ON FINANCIAL
9 OBLIGATIONS IN PRETRIAL SERVICES AND ALTERNATIVE COURTS.
10

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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