HB256

ATHHSS7-1

By Representative Ellis

RFD: Ways and Means General Fund

First Read: 28-Feb-24

SYNOPSIS:

Under existing law, an agent of the state is reimbursed 10 cents per mile and 8 dollars per day when transporting an accused individual to this state from outside the state.

This bill would further provide for the reimbursement rate by reimbursing the agent at the same rate as other individuals traveling on official business for the state.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL

TO BE ENTITLED

AN ACT

Relating to extradition; to amend Section 15-9-62, Code of Alabama 1975; to further provide for the mileage and daily fees paid to an agent of the state in certain circumstances; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-9-62, Code of Alabama 1975, is

amended to read as follows:

"§15-9-62

(a) Expenses incurred in transporting an accused individual shall be paid as follows:

(1) When the ~~punishment of the~~ individual is accused of a crime punishable by ~~shall be the~~ confinement ~~of the criminal in the penitentiary~~ with the Department of Corrections or death, the expenses ~~incurred in bringing an accused back to the State of Alabama~~ shall be paid out of the State Treasury, on the certificate of the Governor and warrant of the Comptroller.

(2) In all other cases, ~~they~~ the expenses shall be paid out of the county treasury in the county ~~wherein~~ in which the crime is alleged to have been committed.

(b) Notwithstanding any other provision of law regulating expenses of state officers and employees, the sheriff or other agent of the state shall receive all of the following:

(1) ~~$8.00~~ One hundred dollars ($100) per day while going to and returning from the place where the prisoner is arrested or confined ~~and~~.

(2) ~~actual~~ Actual necessary expenses~~, including expenses of transportation;~~.

(3) For transportation, ~~if train or bus is used, actual cost of transportation shall be allowed, but if the trip is made in the personal car of the sheriff or other agent of the state there shall be allowed for transportation $.10 for each mile traveled~~the agent shall be reimbursed as provided under

Article 2 of Chapter 7 of Title 36.

(c) Any expenses incurred by an agent of another state may also be paid pursuant to subsection (a) ~~There shall also be allowed the fees paid to the officers of the state on whose Governor the requisition is made~~."

Section 2. This act shall become effective on October 1, 2024.