

HB296 INTRODUCED



1 HB296
2 I239Z6W-1
3 By Representatives Faulkner, Shaver, Pettus, Treadaway,
4 Stringer, Bedsole, Bolton, Hendrix
5 RFD: County and Municipal Government
6 First Read: 06-Mar-24



SYNOPSIS:

Under existing law, when a person is convicted of organized retail theft, upon request of the district attorney, the court is required to order that the defendant pay restitution.

This bill would specifically include within the list of entities due to receive restitution the local sheriff's office and would include the housing and care of the defendant within the calculation of payable restitution costs.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Retail Theft Crime Prevention Act; to amend Section 1 of Act 2023-531, 2023 Regular Session, now appearing as Section 13A-8-227, Code of Alabama 1975, to further provide for the required payment of restitution by the offender following a conviction.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act 2023-531, 2023 Regular Session, now appearing as Section 13A-8-227, Code of Alabama 1975, is amended to read as follows:



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"§13A-8-227

(a) Any proceeds, property obtained by proceeds, or instruments of the crimes of organized retail theft or retail theft may be subject to forfeiture pursuant to the procedures set forth in Section 20-2-93.

(b) When a person is convicted of organized retail theft, upon request of the district attorney, the court shall order the defendant to make restitution as follows:

(1) To the retail merchant victim, pursuant to the procedures set forth in Section 15-18-67.

(2) To the primary investigative law enforcement entity, sheriff's office, and prosecutorial ~~entities~~entity for any legitimate cost incurred in the course of the investigation, ~~or~~ prosecution, or housing and care of the person convicted, pursuant to the procedures set forth in Section 20-2-190(j), or an amount agreed upon by the district attorney."

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