

SB199 INTRODUCED



1 SB199
2 9J7NDPM-1
3 By Senator Kelley
4 RFD: Judiciary
5 First Read: 21-Jan-26



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4 SYNOPSIS:

5 Under existing law, certain persons who are
6 convicted of a sex offense are subject to registration
7 and notification requirements.

8 This bill would authorize the parole or
9 probation officer of an adult sex offender who was
10 convicted of a sex offense involving a child to
11 restrict that sex offender from using a post office box
12 or possessing any electronic media, including, but not
13 limited to, a computer tablet, gaming system, or phone
14 that allows access to the Internet.

15 This bill would provide that the Board of
16 Pardons and Paroles or a court, as a condition of
17 release, may require an adult sex offender to receive
18 sex offender treatment, including, but not limited to,
19 periodic polygraph examinations.

20 This bill would provide that a sex offender who
21 fails to comply with such restrictions or treatment
22 requirements is guilty of a Class C felony.

23 This bill would also authorize the Director of
24 the Board of Pardons and Paroles to adopt rules to
25 implement the sex offender treatment provisions.

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28 A BILL



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29 TO BE ENTITLED
30 AN ACT

32 Relating to sex offenders; to add Sections 15-20A-19.01
33 and 15-20A-20.01 to the Code of Alabama 1975, to provide that
34 certain sex offenders may be prohibited by a parole or
35 probation officer from using a post office box or electronic
36 media in certain circumstances; to provide that certain sex
37 offenders, as a condition of release, may be required to
38 receive sex offender treatment; to provide for criminal
39 penalties for violations; and to amend Section 15-20A-44, Code
40 of Alabama 1975, to authorize the Board of Pardons and Paroles
41 to adopt rules.

42 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

43 Section 1. Sections 15-20A-19.01 and 15-20A-20.01 are
44 added to the Code of Alabama 1975, to read as follows:

45 §15-20A-19.01

46 (a) An adult sex offender convicted of a sex offense
47 involving a child may be restricted by his or her parole or
48 probation officer from using a post office box or possessing
49 any electronic media, including, but not limited to, a
50 computer, tablet, gaming system, or phone that allows access
51 to the Internet.

52 (b) A person who knowingly violates a restriction
53 imposed pursuant to subsection (a) shall be guilty of a Class
54 C felony.

55 §15-20A-20.01

56 (a) The Board of Pardons and Paroles or a court, as a



57 condition of release on parole, probation, community
58 corrections, court referral officer supervision, pretrial
59 release, or any other community-based punishment option, may
60 require an adult sex offender to receive sex offender
61 treatment by a sex offender treatment program or by a provider
62 approved by the Board of Pardons and Paroles. The treatment
63 may include, but is not limited to, periodic polygraph
64 examinations.

65 (b) An adult sex offender subject to sex offender
66 treatment programs pursuant to subsection (a) may not change a
67 treatment provider without prior approval by the court or the
68 Board of Pardons and Paroles.

69 (c) An adult sex offender subject to a sex offender
70 treatment program or periodic polygraph examinations pursuant
71 to this section, unless he or she is indigent, shall be
72 required to pay the costs of any sex offender treatment
73 program and the costs of administering the polygraph
74 examination. The Board of Pardons and Paroles, the sentencing
75 court, or other supervising entity shall determine the amount
76 to be paid based on the person's financial means and ability
77 to pay.

78 (d) A polygraph examination conducted pursuant to this
79 section shall be conducted by a licensed Alabama Polygraph
80 Examiner with an advanced Post Conviction Sex Offender Testing
81 certification in compliance with the American Polygraph
82 Association. The polygraph examinations must include not less
83 than two history, maintenance, or monitoring polygraph
84 examinations in a calendar year and any additional polygraph



85 examinations necessary to identify and discern the progression
86 of therapy facilitated through the treatment provider. The
87 Board of Pardons and Paroles, in coordination with the
88 treatment provider, shall determine the frequency of the
89 polygraph examinations.

90 (e) A person who fails to participate in any sex
91 offender treatment required by this section shall be guilty of
92 a Class C felony.

93 Section 2. Section 15-20A-44, Code of Alabama 1975, is
94 amended to read as follows:

95 "§15-20A-44

96 (a) The Secretary of the Alabama State Law Enforcement
97 Agency shall adopt rules establishing an administrative
98 hearing for persons who are only made subject to this chapter
99 pursuant to ~~subdivision (35) of~~ Section 15-20A-5 (35).

100 (b) The Secretary of the Alabama State Law Enforcement
101 Agency shall adopt rules setting forth a listing of offenses
102 from other jurisdictions that are to be considered criminal
103 sex offenses under ~~subdivision (35) of~~ Section 15-20A-5 (35).
104 Thereafter, any individual convicted of any offense set forth
105 in the listing shall immediately be subject to this chapter
106 and shall not be entitled to an administrative hearing as
107 provided in subsection (a).

108 (c) The Secretary of the Alabama State Law Enforcement
109 Agency may adopt ~~any~~ rules ~~as are~~ necessary to implement and
110 enforce this chapter.

111 (d) The Director of the Board of Pardons and Paroles
112 may adopt rules necessary to implement and enforce Section

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113 15-20A-20.01."

114 Section 3. This act shall become effective on October
115 1, 2026.