

1 SB116  
2 124381-1  
3 By Senator Orr  
4 RFD: Governmental Affairs  
5 First Read: 01-MAR-11

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8 SYNOPSIS: Under existing law, a state or county inmate  
9 may participate in a work release program under  
10 certain conditions.

11 This bill would require the forfeiture of  
12 any earnings being held in the account of the  
13 inmate by the Department of Corrections if the  
14 inmate is a state inmate or the county if the  
15 inmate is a county inmate if the inmate escapes  
16 from custody while on work release.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 To amend Sections 14-8-6 and 14-8-37 of the Code of  
23 Alabama 1975, relating to inmate earnings while on work  
24 release; to require the forfeiture of any earnings held in the  
25 account of the inmate if the inmate escapes from custody while  
26 on work release.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Sections 14-8-6 and 14-8-37 of the Code  
2 of Alabama 1975, are amended to read as follows:

3           "§14-8-6.

4           "(a) The employer of an inmate involved in work  
5 release shall pay the inmate's wages directly to the  
6 Department of Corrections. The department may adopt  
7 regulations concerning the disbursement of any earnings of the  
8 inmates involved in work release. The department is authorized  
9 to withhold from an inmate's earnings the cost incident to the  
10 inmate's confinement as the department shall deem appropriate  
11 and reasonable. In no event shall the withheld earnings exceed  
12 40 percent of the earnings of the inmate. After all expenses  
13 have been deducted by the department, the remainder of the  
14 inmate's earnings shall be credited to his or her account with  
15 the department. Upon his or her release all moneys being held  
16 by the department shall be paid over to the inmate.

17           "(b) If an inmate is convicted of escape in the  
18 first, second, or third degree for escaping while the inmate  
19 was on work release, any earnings being held in the account of  
20 the inmate shall be forfeited to the department.

21           "§14-8-37.

22           "(a) The employer of an inmate involved in work  
23 release pursuant to this article shall send the inmate's wages  
24 directly to the county or its designated agent. Of each  
25 inmate's earnings, 25 percent of ~~his~~ the gross wages shall be  
26 applied to the costs incident to the inmate's confinement. If  
27 the cost of confinement of a state inmate as agreed upon in

1 the maintenance contract authorized in Section 14-8-31 exceeds  
2 25 percent of ~~his~~ the gross wages, the board shall pay the  
3 difference to the county. The remainder of the inmate's wages  
4 shall be credited to ~~his~~ the inmate's account with the county  
5 and shall be paid out as the inmate requests to furnish ~~his~~  
6 clothing, medical and dental care, spending money, savings, or  
7 dependent support.

8 "(b) If an inmate is convicted of escape in the  
9 first, second, or third degree for escaping while the inmate  
10 was on work release, any earnings being held in the account of  
11 the inmate shall be forfeited to the department if the inmate  
12 is a state inmate or to the county if the inmate is a county  
13 inmate."

14 Section 2. This act shall become effective on the  
15 first day of the third month following its passage and  
16 approval by the Governor, or its otherwise becoming law.