

1 HB454  
2 137801-1  
3 By Representative Wood  
4 RFD: Public Safety and Homeland Security  
5 First Read: 01-MAR-12

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8 SYNOPSIS: Under existing law, any person who is on  
9 parole or probation and subject to the supervision  
10 of the Board of Pardons and Paroles and who  
11 receives income is required to pay a supervision  
12 fee to the board. Upon agreement with the board,  
13 the employer may deduct the fee and pay it to the  
14 board by the fifth of each month.

15 This bill would raise the supervision fee to  
16 be collected from parolees and probationers  
17 supervised by the Alabama Board of Pardons and  
18 Paroles from \$30 to \$50.

19 This bill would remove the existing  
20 requirement that supervision fees be paid by the  
21 fifth of each month.

22  
23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
26

1           To amend Section 15-22-2, Code of Alabama 1975, to  
2           increase the supervision fee to be collected from parolees and  
3           probationers supervised by the Board of Pardons and Paroles  
4           and to eliminate the requirement that the fees be paid by the  
5           fifth of each month.

6           BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7           Section 1. Section 15-22-2, Code of Alabama 1975, is  
8           amended to read as follows:

9           "§15-22-2.

10           "(a) (1) Any person who is placed on parole by the  
11           Board of Pardons and Paroles or any person who is granted  
12           probation by a court of competent jurisdiction and who is  
13           subject to supervision by the Board of Pardons and Paroles,  
14           and who has an income shall be required to contribute ~~thirty~~  
15           ~~dollars (\$30)~~ fifty dollars (\$50) per month toward the cost of  
16           his or her supervision and rehabilitation beginning 30 days  
17           from the date he or she has an income. The sum shall be  
18           deducted by the parolee or probationer from his or her monthly  
19           income and delivered to the Board of Pardons and Paroles ~~on or~~  
20           ~~before the fifth day of~~ each month for deposit in the General  
21           Fund of the State Treasury ~~on or before the tenth day of each~~  
22           ~~month.~~ By prior agreement between an employer and employee, an  
23           employer may deduct ~~thirty dollars (\$30)~~ fifty dollars (\$50)  
24           from the monthly net earned income of the parolee or  
25           probationer and remit the amount to the Board of Pardons and  
26           Paroles ~~by the fifth day of~~ each month. The responsibility of  
27           assuring the contribution shall remain that of the parolee or

1 probationer. Exemptions from payments required by this section  
2 may be granted for undue hardship on a case by case basis by  
3 the sentencing court in probation and the Board of Pardons and  
4 Paroles in parole cases.

5 "(2) In the event of over two months' arrearage or  
6 delinquency in making a contribution, the arrearage or  
7 delinquency shall constitute sufficient ground for revocation  
8 of the parole or probation of the person in arrears.

9 "(3) There ~~shall be~~ is established a Probationer's  
10 Upkeep Fund. All moneys received pursuant to this section  
11 since August 24, 1976, shall be transferred by the State  
12 Treasury into the fund for the credit and use of the Board of  
13 Pardons and Paroles and all sums collected pursuant thereto  
14 after May 5, 1977, shall be deposited into the Treasury to the  
15 credit of the fund. All funds shall be withdrawn or expended  
16 only for the purposes stated in this section. The funds are  
17 hereby appropriated to the Board of Pardons and Paroles for  
18 the purposes stated in this section.

19 ~~"There is hereby appropriated for the current fiscal~~  
20 ~~year \$50,000.00 from said fund to the Board of Pardons and~~  
21 ~~Paroles for the purposes of supervising parolees and~~  
22 ~~probationers who are gainfully employed.~~

23 "(b) The amount of contribution of each parolee and  
24 probationer of his or her monthly net earned income shall be  
25 excluded from the taxable income of the person for the purpose  
26 of determining the state income tax liability of the person.

1                   "(c) A parolee or probationer authorized to work at  
2                   paid employment in the community under this section shall  
3                   comply with all rules and regulations promulgated by the Board  
4                   of Pardons and Paroles."

5                   Section 2. This act shall become effective  
6                   immediately following its passage and approval by the  
7                   Governor, or its otherwise becoming law.