

1 SB315  
2 165899-2  
3 By Senators Smitherman, Waggoner, Whatley, Marsh, Bussman and  
4 Dunn  
5 RFD: Judiciary  
6 First Read: 31-MAR-15

1 SB315

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4 ENROLLED, An Act,

5 To amend Section 15-22-2 of the Code of Alabama  
6 1975, relating to the Board of Pardons and Paroles; to repeal  
7 a scheduled reduction in the monthly supervision fee.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Section 15-22-2 of the Code of Alabama  
10 1975, is amended to read as follows:

11 "§15-22-2.

12 "(a) (1) Any person who is placed on parole by the  
13 Board of Pardons and Paroles or any person who is granted  
14 probation by a court of competent jurisdiction and who is  
15 subject to supervision by the Board of Pardons and Paroles and  
16 who has an income shall be required to contribute forty  
17 dollars (\$40) per month toward the cost of his or her  
18 supervision and rehabilitation beginning 30 days from the date  
19 he or she has an income. The sum shall be deducted by the  
20 parolee or probationer from his or her monthly income and  
21 delivered to the Board of Pardons and Paroles each month for  
22 deposit in the General Fund of the State Treasury. By prior  
23 agreement between an employer and employee, an employer may  
24 deduct forty dollars (\$40) from the monthly net earned income  
25 of the parolee or probationer and remit the amount to the

1 Board of Pardons and Paroles each month. The responsibility of  
2 assuring the contribution shall remain that of the parolee or  
3 probationer. Exemptions from payments required by this section  
4 may be granted for undue hardship on a case by case basis by  
5 the sentencing court in probation and the Board of Pardons and  
6 Paroles in parole cases.

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

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 All funds shall be withdrawn or expended only for  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

21 ~~"(4) After December 31, 2015, the sum contributed or~~  
22 ~~deducted by parolees and probationers under supervision with~~  
23 ~~the Board of Pardons and Paroles pursuant to this section~~  
24 ~~shall be reduced from forty dollars (\$40) to thirty dollars~~  
25 ~~(\$30) per month.~~

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

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

9           Section 2. This act shall become effective  
10 immediately following its passage and approval by the  
11 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB315

Senate 07-APR-15

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris  
Secretary

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House of Representatives

Passed: 12-MAY-15

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By: Senator Smitherman