

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

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8 SYNOPSIS: Under existing law, a person on parole or
9 granted probation is required to pay a monthly
10 supervision fee to the Board of Pardons and Paroles
11 in the amount of \$40 per month from his or her net
12 income. This fee would be reduced after December
13 31, 2015, to \$30 per month.

14 This bill would repeal the reduction in the
15 monthly supervision fee scheduled after December
16 31, 2015.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To amend Section 15-22-2 of the Code of Alabama
23 1975, relating to the Board of Pardons and Paroles; to repeal
24 a scheduled reduction in the monthly supervision fee.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 15-22-2 of the Code of Alabama
27 1975, is amended to read as follows:

1 "§15-22-2.

2 "(a) (1) Any person who is placed on parole by the
3 Board of Pardons and Paroles or any person who is granted
4 probation by a court of competent jurisdiction and who is
5 subject to supervision by the Board of Pardons and Paroles and
6 who has an income shall be required to contribute forty
7 dollars (\$40) per month toward the cost of his or her
8 supervision and rehabilitation beginning 30 days from the date
9 he or she has an income. The sum shall be deducted by the
10 parolee or probationer from his or her monthly income and
11 delivered to the Board of Pardons and Paroles each month for
12 deposit in the General Fund of the State Treasury. By prior
13 agreement between an employer and employee, an employer may
14 deduct forty dollars (\$40) from the monthly net earned income
15 of the parolee or probationer and remit the amount to the
16 Board of Pardons and Paroles each month. The responsibility of
17 assuring the contribution shall remain that of the parolee or
18 probationer. Exemptions from payments required by this section
19 may be granted for undue hardship on a case by case basis by
20 the sentencing court in probation and the Board of Pardons and
21 Paroles in parole cases.

22 "(2) In the event of over two months' arrearage or
23 delinquency in making a contribution, the arrearage or
24 delinquency shall constitute sufficient ground for revocation
25 of the parole or probation of the person in arrears.

26 "(3) There is established a Probationer's Upkeep
27 Fund. All moneys received pursuant to this section since

1 August 24, 1976, shall be transferred by the State Treasury
2 into the fund for the credit and use of the Board of Pardons
3 and Paroles and all sums collected pursuant thereto after May
4 5, 1977, shall be deposited into the Treasury to the credit of
5 the fund. All funds shall be withdrawn or expended only for
6 the purposes stated in this section. The funds are hereby
7 appropriated to the Board of Pardons and Paroles for the
8 purposes stated in this section.

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

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

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

22 Section 2. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.