

1 HB509  
2 197939-2  
3 By Representative Scott  
4 RFD: State Government  
5 First Read: 25-APR-19

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8 SYNOPSIS: Under existing law, the Department of  
9 Corrections is authorized to adopt rules and  
10 policies permitting the commissioner to set  
11 criteria for when inmates are eligible to  
12 participate in work release programs.

13 This bill would create a new classification  
14 exception to allow for certain inmates to be  
15 eligible to participate in work release programs.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

20  
21 Relating to work release; to amend Section 14-8-2,  
22 Code of Alabama 1975, to create a new classification exception  
23 to allow certain inmates to be eligible to participate in work  
24 release programs.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 14-8-2, Code of Alabama 1975, is  
27 amended to read as follows:

1                   "§14-8-2.

2                   "(a) The ~~board~~ department ~~is authorized to~~ may adopt  
3 ~~regulations~~ rules and policies permitting the commissioner to  
4 extend the limits of the place of confinement of an inmate, as  
5 to whom there is reasonable cause to believe he will know his  
6 trust, by authorizing him or her, under prescribed conditions,  
7 to leave the confines of that place unaccompanied by a  
8 custodial agent for a prescribed period of time to work at  
9 paid employment while continuing as an inmate of the  
10 institution or facility in which he or she shall be confined  
11 except during the hours of his or her employment or seeking of  
12 employment and traveling ~~thereto and therefrom~~ to and from.  
13 Inmates shall participate in paid employment at the discretion  
14 of the board.

15                   "(b) The ~~board~~ department may adopt ~~regulations~~  
16 rules as to the eligibility of those inmates who are  
17 classified as minimum security risks for the extension of  
18 confinement or the entering into agreement between the board  
19 and any city, county or federal agency for the housing of  
20 these inmates in a local place of confinement. The ~~board shall~~  
21 department, as the need becomes evident, shall designate and  
22 adapt facilities in the state prison system to accomplish the  
23 purpose of this article.

24                   " (c) The board shall adopt rules and policies  
25 establishing a new classification exception for certain  
26 inmates to be eligible to participate in work release, as  
27 provided in this subsection. Except for inmates who are

1 sentenced to life without the possibility of parole, has been  
2 convicted of a sex offense as defined in Section 15-20A-5, or  
3 has been convicted of a violent offense as defined in Section  
4 12-25-32, any inmate, regardless of the offense for which he  
5 or she has been convicted, shall be eligible to participate in  
6 a work release program if he or she meets all of the following  
7 criteria:

8 "(1) Has completed 85 percent of his or her  
9 sentence.

10 "(2) Has completed his or her course of study and  
11 has received certification in that course of study.

12 "(3) Has received a certification of eligibility by  
13 completion of program course of study or certification to  
14 participate in a work release program by the president of the  
15 school or college.

16 "(4) Is seeking employment in the field where he or  
17 she is certified."

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