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3 HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HB150
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8 SYNOPSIS: Under existing law, a defendant is entitled
9 to bail in all noncapital cases.

10 This bill would provide that, as a condition
11 of release, a defendant charged with a violent
12 offense shall be subject to electronic monitoring
13 under certain circumstances.

14 This bill would provide that the
15 Administrative Office of Courts is required to
16 establish a pilot program to determine the
17 effectiveness requiring the electronic monitoring
18 as a condition of release.

19 To require the Administrative Office of
20 Courts to provide a report at the conclusion of the
21 pilot program.
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23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 Relating to supervision of violent offenders; to
2 amend Section 15-13-2; Code of Alabama 1975, to require
3 electronic monitoring for release on bail for certain offenses
4 and in certain circumstances; to require the Administrative
5 Office of Courts to establish a pilot program; and to provide
6 for reporting requirements.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 15-13-2, Code of Alabama 1975, is
9 amended to read as follows:

10 "§15-13-2.

11 "(a) In all cases other than those specified in
12 ~~subsection (a) of Section 15-13-3~~, a defendant is, before
13 conviction, entitled to bail as a matter of right.

14 "(b) On or before October 1, 2020, subject to the
15 availability of funds, the Administrative Office of Courts
16 shall establish a pilot program requiring that a judge order,
17 as a condition of release, that any defendant charged with a
18 violent offense, as provided in Section 12-25-32, be subject
19 to electronic monitoring.

20 "(1) On or before October 1, 2020, the
21 Administrative Office of Courts shall designate five judicial
22 circuits, with the advice and consent of each presiding
23 circuit judge, to implement the pilot program.

24 "(2) Two of the participating judicial circuits
25 shall be the thirteenth judicial circuit and the twenty-eighth
26 judicial circuit.

1 "(3) The pilot program shall terminate on September
2 30, 2021, unless extended by a legislative act.

3 "(c) The Administrative Office of Courts may
4 establish rules for the implementation of the pilot program,
5 to include the approval of a company to provide the continuing
6 service and a process for communicating with local law
7 enforcement in the five participating judicial circuits.

8 "(d) Following the conclusion of the pilot project,
9 the Administrative Office of Courts shall provide a report to
10 the Chair of the House Judiciary Committee and the Chair of
11 the Senate Judiciary Committee, detailing the implementation
12 and administration of the pilot program and shall include
13 comments submitted by the presiding judges of the
14 participating judicial circuits, no later than the fifth
15 legislative day of the 2022 regular session of the Alabama
16 Legislature."

17 Section 2. This act shall become effective on
18 October 1, 2020, following its passage and approval by the
19 Governor, or its otherwise becoming law, contingent upon
20 certification by the Director of Finance that sufficient funds
21 have been appropriated to the Alabama Administrative Office of
22 Courts to implement this act.