

SB7 INTRODUCED



1 OQSGJJ-1
2 By Senators Elliott, Weaver, Allen, Gudger, Roberts
3 RFD: Judiciary
4 First Read: 07-Mar-23
5 PFD: 31-Jan-23



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SYNOPSIS:

Under existing law, inmates nearing the end of their sentence must be released by the Department of Corrections to mandatory supervision by the Board of Pardons and Paroles for specified periods of time prior to their end of sentence.

This bill would provide that this provision would only apply to inmates in the custody of the department on or after January 31, 2030.

A BILL
TO BE ENTITLED
AN ACT

Relating to the mandatory supervised release of inmates; to amend Section 15-22-26.2, as last amended by Act 2021-549, First Special Session, to provide that the mandatory supervised release of inmates only apply to inmates in the custody of the Department of Corrections on or after January 31, 2030.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-22-26.2, as last amended by Act 2021-549, 2021 First Special Session, is amended to read as follows:



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29 "§15-22-26.2

30 (a) This section applies to a defendant in the custody
31 of the Department of Corrections on or after January 31, 2030.

32 ~~(a)~~ (b) A convicted defendant sentenced to a period of
33 confinement under the supervision of the Department of
34 Corrections shall be subject to the following provisions,
35 unless the defendant is released to a term of probation or
36 released on parole under this chapter:

37 (1) If the defendant is sentenced to a period of five
38 years or less, he or she shall be released by the department
39 to supervision by the Board of Pardons and Paroles no less
40 than three months and no more than five months prior to the
41 defendant's release date.

42 (2) If the defendant is sentenced to a period of more
43 than five years but less than 10 years, he or she shall be
44 released by the department to supervision by the Board of
45 Pardons and Paroles no less than six months and no more than
46 nine months prior to the defendant's release date.

47 (3) If the defendant is sentenced to a period of 10
48 years or more, he or she shall be released by the department
49 to supervision by the Board of Pardons and Paroles no less
50 than 10 months and no more than 12 months prior to the
51 defendant's release date.

52 ~~(b)~~ (c) This section shall not apply to a defendant
53 convicted of any sex offense involving a child, as defined in
54 Section 15-20A-4.

55 ~~(e)~~ (d) Prior to the defendant's release to supervision
56 pursuant to this section, notice of the release shall be



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57 provided by the department to the victim and interested
58 parties through the victim notification system established
59 pursuant to Section 15-22-36.2.

60 ~~(d)~~ (e) (1) An offender released to supervision pursuant
61 to this section shall be released to the supervision of the
62 Board of Pardons and Paroles and shall be subject to this
63 article.

64 (2) The board shall determine the level of supervision
65 required for an offender based on the results of a validated
66 risk and needs assessment.

67 ~~(e)~~ (f) (1) An offender released pursuant to this section
68 shall be subject to electronic monitoring for a period of time
69 determined by the Director of Pardons and Paroles.

70 (2) The board shall be responsible for the costs of the
71 electronic monitoring as required by this subsection.

72 ~~(f) This section applies to a defendant in the custody
73 of the department without regard to when he or she was
74 sentenced for or committed the crime."~~

75 Section 2. This act shall become effective immediately
76 following its passage and approval by the Governor, or its
77 otherwise becoming law.