

HB232 ENGROSSED



1 HB232
2 JPP76YF-2
3 By Representative Baker
4 RFD: Judiciary
5 First Read: 06-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to juvenile proceedings; to amend Section 12-15-217, Code of Alabama 1975, to require written notification to be provided to the local superintendent of education or principal of a private K-12 school when an enrolled child has been charged with or adjudicated delinquent by the juvenile court for committing certain capital and other offenses; and to authorize the written notification to be provided when an enrolled child has been charged with or adjudicated delinquent by the juvenile court for committing any other act which would be considered a crime if committed by an adult.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-15-217 of the Code of Alabama 1975, is amended to read as follows:

"§12-15-217

(a) (1) Notwithstanding ~~subsection (a)~~ of Section 12-15-133 (a), ~~written notice that~~ if a child, believed to be enrolled in a school, kindergarten to grade 12, has been found charged with or adjudicated to be delinquent by a juvenile court of an act which if committed by an adult would be a



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29 ~~Class A or B felony or any other crime, at the discretion of a~~
30 capital offense pursuant to Section 13A-5-40, murder pursuant
31 to Section 13A-6-2, rape in the first degree pursuant to
32 Section 13A-6-61, or sodomy in the first degree pursuant to
33 Section 13A-6-63, the juvenile court, shall be provided
34 provide written notice within seven days after the charge or
35 adjudication of delinquency to the superintendent of the
36 school district of attendance, or, if the child attends a
37 private school, to the principal of the school.

38 (2) Notwithstanding Section 12-15-133(a), if a child,
39 believed to be enrolled in a school, kindergarten to grade 12,
40 has been charged with or adjudicated to be delinquent by a
41 juvenile court of any act which if committed by an adult would
42 be a crime, other than those outlined in subdivision (1), the
43 juvenile court may provide written notice within seven days
44 after the charge or adjudication of delinquency to the
45 superintendent of the school district of attendance, or, if
46 the child attends a private school, to the principal of the
47 school.

48 (3) The juvenile court shall provide the notice using
49 whatever method it deems appropriate or otherwise as decided
50 by the Administrative Office of Courts. ~~The prosecutor may~~
51 ~~recommend to the juvenile court that notice be given to the~~
52 ~~school for any delinquent act.~~

53 (4) Written notice shall include only the offenses,
54 enumerated by the appropriate code section and brief
55 description, found to have been committed by the child and the
56 disposition of the case ~~involving the child.~~



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57 (5) Where applicable, this notice ~~shall~~ may be
58 expeditiously transmitted by the district superintendent to
59 the principal at the school of attendance. The principal ~~shall~~
60 may disseminate the information to those counselors directly
61 supervising or reporting on the behavior or progress of the
62 child. In addition, the principal may disseminate the
63 information to any teacher, administrator, or other school
64 employee directly supervising or reporting on the behavior or
65 progress of the child whom the principal believes needs the
66 information to work with the ~~pupil~~ child in appropriate
67 fashion or to protect other students and staff.

68 (b) Any information received by a teacher, counselor,
69 administrator, or other school employee pursuant to this
70 section shall be received in confidence for the limited
71 purpose of rehabilitating the child and protecting students
72 and staff, and shall not be further disseminated by the
73 teacher, counselor, or administrator, except ~~insofar as~~ where
74 communication with the child, his or her parent, legal
75 guardian, legal custodian, law enforcement personnel, and the
76 juvenile probation officer of the child is necessary to
77 ~~effectuate the rehabilitation of~~ rehabilitate the child or to
78 protect students and staff.

79 (c) An intentional violation of the confidentiality
80 provisions of this section is a Class A misdemeanor under the
81 jurisdiction of the juvenile court."

82 Section 2. This act shall become effective on October
83 1, 2025.



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House of Representatives

Read for the first time and referred06-Feb-25
to the House of Representatives
committee on Judiciary

Read for the second time and placed05-Mar-25
on the calendar:
1 amendment

Read for the third time and passed18-Mar-25
as amended
Yeas 79
Nays 8
Abstains 13

John Treadwell
Clerk