

HB251 ENGROSSED



1 HB251

2 KX94UAU-2

3 By Representatives Butler, Stadthagen, Harrison, Robertson

4 RFD: Judiciary

5 First Read: 11-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to sex offenders; to add Sections 15-20A-19.01 and 15-20A-20.01 to the Code of Alabama 1975, to provide that certain sex offenders may be prohibited by a parole or probation officer from utilizing a post office box or electronic media in certain circumstances; to provide that certain sex offenders, as a condition of release, be required to receive sex offender treatment; and to provide for criminal penalties for violations; and to amend Section 15-20A-44, Code of Alabama 1975, to authorize the Board of Pardons and Paroles adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 15-20A-19.01 and 15-20A-20.01 are added to the Code of Alabama 1975, to read as follows:

§15-20A-19.01

(a) An adult sex offender convicted of a sex offense involving a child may be restricted by his or her parole or probation officer from using a post office box or possessing any electronic media, including, but not limited to, a computer, tablet, gaming system, or phone that allows access to the Internet.



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29 (b) A person who knowingly violates a restriction
30 imposed pursuant to subsection (a) shall be guilty of a Class
31 C felony.

32 §15-20A-20.01

33 (a) The Board of Pardons and Paroles or a court, as a
34 condition of release on parole, probation, community
35 corrections, court referral officer supervision, pretrial
36 release, or any other community-based punishment option, may
37 require that an adult sex offender be required to receive sex
38 offender treatment by a sex offender treatment program or by a
39 provider approved by the Board of Pardons and Paroles. The
40 treatment may include, but is not limited to, periodic
41 polygraph examinations.

42 (b) An adult sex offender subject to sex offender
43 treatment programs pursuant to subsection (a) may not change a
44 treatment provider without prior approval by the court or the
45 Board of Pardons and Paroles.

46 (c) An adult sex offender subject to a sex offender
47 treatment program or periodic polygraph examinations pursuant
48 to this section, unless he or she is indigent, shall be
49 required to pay the costs of any sex offender treatment
50 program and the costs of administering the polygraph
51 examination. The Board of Pardons and Paroles, the sentencing
52 court, or other supervising entity shall determine the amount
53 to be paid based on the person's financial means and ability
54 to pay.

55 (d) A polygraph examination conducted pursuant to this
56 section shall be conducted by a licensed Alabama Polygraph



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57 Examiner with an advanced Post Conviction Sex Offender Testing
58 certification in compliance with the American Polygraph
59 Association. The polygraph examinations must include not less
60 than two history, maintenance, or monitoring polygraph
61 examinations in a calendar year and any additional polygraph
62 examinations necessary to identify and discern the progression
63 of therapy facilitated through the treatment provider. The
64 Board of Pardons and Paroles, in coordination with the
65 treatment provider, shall determine the frequency of the
66 polygraph examinations.

67 (e) A person who fails to participate in any sex
68 offender treatment required by this section shall be guilty of
69 a Class C felony.

70 Section 2. Section 15-20A-44, Code of Alabama 1975, is
71 amended to read as follows:

72 "§15-20A-44

73 (a) The Secretary of the Alabama State Law Enforcement
74 Agency shall adopt rules establishing an administrative
75 hearing for persons who are only made subject to this chapter
76 pursuant to ~~subdivision (35) of~~ Section 15-20A-5(35).

77 (b) The Secretary of the Alabama State Law Enforcement
78 Agency shall adopt rules setting forth a listing of offenses
79 from other jurisdictions that are to be considered criminal
80 sex offenses under ~~subdivision (35) of~~ Section 15-20A-5(35).
81 Thereafter, any individual convicted of any offense set forth
82 in the listing shall immediately be subject to this chapter
83 and shall not be entitled to an administrative hearing as
84 provided in subsection (a).



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85 (c) The Secretary of the Alabama State Law Enforcement
86 Agency may adopt ~~any rules as are~~ necessary to implement and
87 enforce this chapter.

88 (d) The Director of the Board of Pardons and Paroles
89 may adopt rules necessary to implement and enforce Section
90 15-20A-20.01."

91 Section 3. This act shall become effective on October
92 1, 2025.



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House of Representatives

Read for the first time and referred11-Feb-25
to the House of Representatives
committee on Judiciary

Read for the second time and placed27-Feb-25
on the calendar:
0 amendments

Read for the third time and passed04-Mar-25
as amended
Yeas 90
Nays 0
Abstains 9

John Treadwell
Clerk