

**HB546 ENROLLED**



1 HB546  
2 AR8LIQ7-2  
3 By Representative Yarbrough (N & P)  
4 RFD: Local Legislation  
5 First Read: 03-Mar-26



## HB546 Enrolled

1 Enrolled, An Act,

2

3 Relating to Lawrence County; to amend Section

4 45-40-233.75, Code of Alabama 1975, to revise the reporting

5 year upon which a surplus in the Lawrence County Community

6 Corrections and Court Services Fund may be paid over to the

7 General Fund of Lawrence County; to amend Section

8 45-40-233.77, Code of Alabama 1975, to revise the time in

9 which a percentage of an appearance bond is to be remitted to

10 the Lawrence County Community Corrections and Court Services

11 Fund; To amend Section 45-40-233.81, Code of Alabama 1975, to

12 revise the effective date on which a municipality may commence

13 participation in the temporary release and related programs;

14 and to repeal Act 1979-736, 1979 Regular Session (Acts 1979,

15 p. 1307).

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 45-40-233.75, Code of Alabama 1975,

18 is amended to read as follows:

19 "§45-40-233.75

20 (a) All amounts collected and deposited in the Lawrence

21 County Community Corrections and Court Services Fund shall be

22 expended for the implementation of this subpart, including,

23 but not limited to: (i) paying salaries and other expenses

24 involved in conducting investigations and studies necessary to

25 determine whether particular defendants will be granted the

26 benefits of this subpart; (ii) administration required to

27 carry out this subpart; (iii) transportation of defendants to

28 and from their places of employment; (iv) matching any federal



## HB546 Enrolled

29 and state grants that may be available in relation to the  
30 purposes of this subpart; and (v) implementation and  
31 administration of the treatment, rehabilitation, education,  
32 intervention, and pretrial diversion programs created pursuant  
33 to Section 45-40-233.79 as determined to be required by law or  
34 consistent with the purposes of this subpart.

35 (b) If at the end of any ~~calendar~~fiscal year there is a  
36 surplus in the Lawrence County Community Corrections and Court  
37 Services Fund, the surplus shall be paid to the General Fund  
38 of Lawrence County if a majority of the commission members, by  
39 affirmative vote, decide at a ~~duly~~-convened meeting of the  
40 commission that the surplus, or any portion thereof, is in  
41 excess of an amount necessary to carry out this subpart.

42 Section 2. Section 45-40-233.77, Code of Alabama 1975,  
43 is amended to read as follows:

44 "§45-40-233.77

45 (a) ~~Any~~Except as provided in subsection (b), any  
46 individual in Lawrence County charged with a non-capital,  
47 bailable offense, as a matter of right, ~~may~~shall be released  
48 pending trial on his or her personal recognizance or upon the  
49 execution of an appearance bond. ~~However, if~~

50 (b) If a judge having jurisdiction determines that a  
51 release will not reasonably assure the defendant's appearance  
52 as required or that a defendant's being at-large will pose a  
53 real and present danger to the public, the judge, either in  
54 lieu of or in addition to the methods and conditions of  
55 release specified in Rules 7.2(a) and 7.3 of the Alabama Rules  
56 of Criminal Procedure, may:



## HB546 Enrolled

57 (1) Require the defendant to execute an appearance bond  
58 in a specified amount with 10 percent of the amount to be  
59 deposited with the clerk of the court, in cash or other  
60 security as directed, and ~~10 percent~~within 30 days of the  
61 deposit, the clerk shall remit 10 percent of the deposit ~~shall~~  
62 ~~be remitted within 10 days after the deposit~~ to the Lawrence  
63 County Commission for ~~deposit~~distribution to the fund  
64 established by Section 45-40-233.73, and ~~that~~shall return the  
65 remainder of the deposit ~~shall be returned by the clerk~~ to the  
66 defendant ~~after he or she is discharged~~ upon dismissal of the  
67 pending charges or the imposition of sentence after  
68 conviction; or

69 (2) Impose any additional condition deemed reasonably  
70 necessary to assure appearance as required, including a  
71 condition requiring the defendant return to custody after  
72 specified hours.

73 ~~(b)~~(c) In determining which methods and conditions of  
74 release will reasonably assure the appearance of a defendant  
75 as required or will protect certain individuals or the general  
76 public from a defendant who poses a real and present danger,  
77 the judge or magistrate, in addition to considering the  
78 principles and guidelines set forth in Rules 7.2(a) and 7.3 of  
79 the Alabama Rules of Criminal Procedure, shall bear in mind  
80 that the purposes of this subpart are not only to assure the  
81 presence of the defendant at trial, but also to assure that  
82 all defendants, regardless of financial or social status,  
83 shall not needlessly be detained pending appearance to answer  
84 charges, or pending appeal, when detention serves neither the



## HB546 Enrolled

85 ends of justice nor the public interest.

86 ~~(e)~~ (d) All amounts collected under this section shall  
87 be paid into the Lawrence County Community Corrections and  
88 Court Services Fund, unless payment is otherwise directed by  
89 general law.

90 Section 3. Section 45-40-233.81, Code of Alabama 1975,  
91 is amended to read as follows:

92 "§45-40-233.81

93 (a) Any municipality in Lawrence County may elect to  
94 participate in the programs authorized by this subpart. The  
95 election shall be evidenced by a resolution adopted by the  
96 governing body of the municipality by which the municipality  
97 agrees to participate in the programs authorized by this  
98 subpart and to contribute any revenue arising from work  
99 release programs authorized by this subpart to the Lawrence  
100 County Community Corrections and Court Services Fund.

101 (b) A certified copy of the resolution shall be sent to  
102 the Lawrence County Community Corrections and Court Services  
103 Commission ~~and the~~.

104 (c) The election shall be effective on the first day of  
105 the ~~calendar~~ fiscal quarter next following delivery of the  
106 resolution to the commission.

107 Section 4. Act 1979-736, 1979 Regular Session (Acts  
108 1979, p. 1307), now appearing as Subpart 3, Part 4, Article  
109 23, Chapter 40 of Title 45, Code of Alabama 1975, and  
110 establishing a rehabilitation board and a work release  
111 program, is repealed.

112 Section 5. This act shall become effective on October

**HB546 Enrolled**



113 1, 2026.



**HB546 Enrolled**

114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148

---

Speaker of the House of Representatives

---

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 10-Mar-26.

John Treadwell  
Clerk

Senate

---

**17-Mar-26**

---

Passed