

HB86 ENGROSSED



1 HB86
2 L5N3JAY-2
3 By Representative England
4 RFD: Public Safety and Homeland Security
5 First Read: 13-Jan-26
6 PFD: 17-Dec-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to parole; to amend Section 15-22-26, Code of Alabama 1975, to further provide for parole consideration.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-22-26, Code of Alabama 1975, is amended to read as follows:

"§15-22-26

(a) No ~~prisoner~~inmate shall be released on parole merely as a reward for good conduct or efficient performance of duties assigned in prison, but only if the Board of Pardons and Paroles is of the opinion that the ~~prisoner~~inmate meets criteria and guidelines established by the board to determine ~~a prisoner's~~an inmate's fitness for parole and to ensure public safety. The guidelines shall serve as an aid in the parole process and shall promote the use of prison space for the most violent and greatest risk offenders, while recognizing that the board's paramount duty is to protect public safety. The guidelines shall be structured, actuarially based, reviewed every three years by the board, after a specified open comment period determined by the board, and posted on the website of the board and include, but not be



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29 limited to, the following:

30 (1) The ~~prisoner's~~inmate's risk to reoffend, based
31 upon a validated risk and needs assessment, as defined in
32 Section 12-25-32.

33 (2) Progress by the ~~prisoner and inmate~~ in complying
34 with the Alabama Department of Corrections to Corrections'
35 plan for reentry.

36 (3) Input from the victim or victims, the family of the
37 victim or victims, prosecutors, and law enforcement entities.

38 (4) Participation in risk-reduction programs while
39 incarcerated.

40 (5) Institutional behavior of the ~~prisoner~~inmate while
41 incarcerated.

42 (6) Severity of the underlying offense for which the
43 ~~prisoner~~inmate was sentenced to incarceration.

44 (7) The inmate's employment while incarcerated.

45 (8) Any education the inmate gained while incarcerated.

46 (b) (1) The Board of Pardons and Paroles must give
47 consideration to:

48 a. The inmate's employment while incarcerated, as set
49 forth in subsection (a) (7); and

50 b. The education completed by the inmate while
51 incarcerated, as set forth in subsection (a) (8).

52 (2) The Board of Pardons and Paroles may give
53 consideration to the inmate's low risk to reoffend, as
54 established through the validated risk and needs assessment
55 set forth in subsection (a) (1), and any other factors
56 contained in the guidelines.



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57 ~~(b)~~ (c) Except as provided in Section 15-22-37, if the
58 board grants ~~a prisoner~~ an inmate parole, the ~~prisoner~~ inmate
59 shall be released from prison upon the terms and conditions
60 set by the board, and while released on parole, shall remain
61 in the legal custody of the warden of the prison from which he
62 or she is paroled until the expiration of the maximum term
63 specified in his or her sentence or until he or she is fully
64 pardoned.

65 ~~(c)~~ (d) The board shall clearly articulate its reasons
66 for approval or denial of parole for each ~~prisoner~~ inmate,
67 based on its established guidelines, and shall provide the
68 reasons for approval or denial to the ~~prisoner~~ inmate, the
69 victim or victims, the Department of Corrections, or any other
70 interested party upon written request submitted to the board.
71 The use of established guidelines for parole consideration
72 shall not create a right or expectation by ~~a prisoner~~ an
73 inmate to parole release. Additionally, the articulated
74 reasons for denial of parole release shall not create a right
75 or expectation for parole release. The guidelines shall serve
76 as an aid in the parole decisionmaking process, and the
77 decision concerning parole release shall be at the complete
78 discretion of the board."

79 Section 2. This act shall become effective on October
80 1, 2026.



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House of Representatives

Read for the first time and referred13-Jan-26
to the House of Representatives
committee on Public Safety and
Homeland Security

Read for the second time and placed05-Feb-26
on the calendar:
1 amendment

Read for the third time and passed24-Feb-26
as amended

Yeas 78
Nays 22
Abs 4

John Treadwell
Clerk