

HB86 ENROLLED



1 HB86
2 L5N3JAY-3
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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1 Enrolled, An Act,

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

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 "§15-22-26

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

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

28 (2) Progress by the ~~prisoner and~~inmate in complying



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29 with the Alabama Department of ~~Corrections~~ to Corrections'
30 plan for reentry.

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

33 (4) Participation in risk-reduction programs while
34 incarcerated.

35 (5) Institutional behavior of the ~~prisoner~~ inmate while
36 incarcerated.

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

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

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

41 (b) (1) The Board of Pardons and Paroles must give
42 consideration to:

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

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

47 (2) The Board of Pardons and Paroles may give
48 consideration to the inmate's low risk to reoffend, as
49 established through the validated risk and needs assessment
50 set forth in subsection (a) (1), and any other factors
51 contained in the guidelines.

52 ~~(b) (c)~~ Except as provided in Section 15-22-37, if the
53 board grants a ~~prisoner~~ an inmate parole, the ~~prisoner~~ inmate
54 shall be released from prison upon the terms and conditions
55 set by the board, and while released on parole, shall remain
56 in the legal custody of the warden of the prison from which he



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57 or she is paroled until the expiration of the maximum term
58 specified in his or her sentence or until he or she is fully
59 pardoned.

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

74 Section 2. This act shall become effective on October
75 1, 2026.

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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 24-Feb-26, as amended.

John Treadwell
Clerk

Senate

01-Apr-26

Passed