



**House Public Safety and Homeland Security Reported  
Substitute for HB86**

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5 A BILL

6 TO BE ENTITLED

7 AN ACT

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

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

14 "§15-22-26

15 (a) No prisoner inmate shall be released on parole  
16 merely as a reward for good conduct or efficient performance  
17 of duties assigned in prison, but only if the Board of Pardons  
18 and Paroles is of the opinion that the prisoner inmate meets  
19 criteria and guidelines established by the board to determine  
20 a prisoner's an inmate's fitness for parole and to ensure  
21 public safety. The guidelines shall serve as an aid in the  
22 parole process and shall promote the use of prison space for  
23 the most violent and greatest risk offenders, while  
24 recognizing that the board's paramount duty is to protect  
25 public safety. The guidelines shall be structured, actuarially  
26 based, reviewed every three years by the board, after a  
27 specified open comment period determined by the board, and  
28 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 assessmentl 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 low risk to reoffend, as established  
49 through the validated risk and needs assessment, as set forth  
50 in subsection (a) (1);

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

53 c. The education completed by the inmate while  
54 incarcerated, as set forth in subsection (a) (8).

55 (2) The Board of Pardons and Paroles may give  
56 consideration to any other factors contained in the



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57 guidelines.

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

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

80       Section 2. This act shall become effective on October  
81 1, 2026.