

HB111 ENROLLED



1 EJK529-3
2 By Representative Butler (N & P)
3 RFD: Local Legislation
4 First Read: 21-Mar-23
5 2023 Regular Session



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1 Enrolled, An Act,

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4 Relating to Etowah County; to provide that the
5 director and employees of The Etowah County Punishment and
6 Corrections Authority have arrest powers and may make arrests
7 in certain circumstances.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. (a) The Director of The Etowah County
10 Punishment and Corrections Authority and employees of the
11 authority shall be considered law enforcement officers of this
12 state with power to make arrests and serve arrest and search
13 warrants while performing their official duties to the same
14 extent as police officers are authorized in their
15 jurisdictions as long as they hold current certification from
16 the Alabama Peace Officers' Standards and Training Commission.
17 The powers of arrest under this section shall be limited to
18 investigations and arrests of criminal acts committed at the
19 authority's program facilities and acts committed by persons
20 under the authority's supervision that are a violation of
21 supervision or are a criminal offense.

22 (b) The authority director or corrections employee with
23 law enforcement authority may arrest any person under his or
24 her supervision without a warrant if he or she has probable
25 cause to believe the person has committed a criminal offense
26 or violated the conditions of supervision. In case of a
27 warrantless arrest, the director or employee shall prepare a
28 written warrant stating that the offender, in his or her



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29 judgment, has committed a criminal offense or violated a
30 condition of supervision, and the warrant shall suffice to
31 immediately bring the offender before the court to determine
32 probable cause for the act described in the warrant. The court
33 may order detention of the offender pending further hearing,
34 after which the court may revoke probation or participation in
35 the authority's community corrections program, or both,
36 pursuant to subdivision (d) (3) of Section 15-18-175, Code of
37 Alabama 1975.

38 (c) The director and employees of the authority given
39 powers of arrest by this section shall be required to comply
40 with the minimum standards for state law enforcement officers
41 as certified by the Alabama Peace Officers' Standards and
42 Training Commission.

43 Section 2. This act shall become effective on the first
44 day of the third month following its passage and approval by
45 the Governor, or its otherwise becoming law.



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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 11-Apr-23, as amended.

John Treadwell
Clerk

Senate

01-Jun-23

Passed