

1 HB429
2 156310-1
3 By Representatives Givan, Rogers, Scott, Robinson (O) and
4 Moore (M) (N & P)
5 RFD: Jefferson County Legislation
6 First Read: 06-FEB-14

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8 SYNOPSIS: This bill would provide that a parolee or
9 probationer who has an income shall pay a fee to
10 contribute to the cost of his or her supervision
11 and rehabilitation in a Class 1 municipality.

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13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 Relating to any Class 1 municipality; to require a
18 parolee or probationer of the municipal court to pay a fee to
19 contribute to the cost of his or her supervision and
20 rehabilitation; and to provide that the fee would be excluded
21 from state income tax.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. This act shall only apply in a Class 1
24 municipality.

25 Section 2. (a) A fee of forty dollars (\$40) per
26 month shall be paid to the municipal court by any person who
27 has an income and is placed on parole by the municipal parole

1 board, granted probation by the municipal court, or otherwise
2 subject to supervision by the municipal parole board for the
3 cost of his or her supervision and rehabilitation. The fee
4 shall be paid on or before the fifth day of each month
5 beginning 30 days from the date the parolee or probationer has
6 an income. The fee shall be paid until a court of competent
7 jurisdiction or a municipal parole board terminates the parole
8 or probation. By prior agreement between an employer and
9 employee, an employer may deduct the fee from the monthly net
10 earned income of the parolee or probationer and remit the
11 amount to the appropriate municipal court by the fifth day of
12 each month. The parolee or probationer shall be responsible
13 for assuring the payment is made by the fifth day of each
14 month. In the event of over two months arrearage or
15 delinquency in paying the monthly fee under this act, the
16 arrearage or delinquency shall constitute sufficient ground
17 for revocation of the parole or probation of the parolee or
18 probationer. Exemptions from payments required under this act
19 may be granted for undue hardship on a case by case basis by
20 the sentencing court in probation cases and the municipal
21 parole board in parole cases.

22 (b) Notwithstanding any other provision of law, the
23 amount of fees paid by each parolee or probationer under this
24 act shall be excluded from his or her income for the purpose
25 of determining his or her state income tax liability.

26 Section 3. All monies collected by the municipal
27 court under this act shall be deposited into the municipal

1 court corrections fund and allocated in conformity with
2 subsection (a) of Section 11-47-7.1 of the Code of Alabama
3 1975.

4 Section 4. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.