

1 SB107  
2 165696-1  
3 By Senator Whatley  
4 RFD: Judiciary  
5 First Read: 02-FEB-16

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8 SYNOPSIS: Existing law provides for a court referral  
9 program that may be utilized by the courts for  
10 defendants charged with alcohol or drug-related  
11 offenses.

12 This bill would provide that if a defendant  
13 is not referred directly to drug or alcohol  
14 treatment, the judge would decide which level of  
15 the alcohol and drug education program certified by  
16 the Administrative Office of Courts that a  
17 defendant would complete.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT  
22

23 To amend Section 12-23-6 of the Code of Alabama  
24 1975, relating to the authority of courts to refer defendants  
25 charged with alcohol or drug-related offenses to treatment, or  
26 education programs, or both; to further provide that the judge

1 would decide which level of the education program a defendant  
2 would complete.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 12-23-6 of the Code of Alabama  
5 1975, is amended to read as follows:

6 "§12-23-6.

7 In order to effect the purposes of this chapter, all  
8 courts exercising jurisdiction over alcohol and drug related  
9 offenses shall be authorized to refer a defendant to a court  
10 referral program for evaluation and referral to an appropriate  
11 education and/or treatment program. At a minimum, every  
12 defendant who is not referred directly to drug or alcohol  
13 treatment shall be required to complete an alcohol and drug  
14 education program certified by the Administrative Office of  
15 Courts. If a defendant is not referred directly to drug or  
16 alcohol treatment, the judge may order which level of the  
17 alcohol and drug education program certified by the  
18 Administrative Office of Courts that a defendant shall  
19 complete."

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