

HB199 INTRODUCED



1 HB199
2 Z681KKR-1
3 By Representative England
4 RFD: State Government
5 First Read: 20-Feb-24



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SYNOPSIS:

Under existing law, there are three members of the Board of Pardons and Paroles.

This bill would increase the number of board members to five.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Board of Pardons and Paroles; to amend Section 15-22-20, Code of Alabama 1975, to increase the number of members on the Board of Pardons and Paroles.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-22-20, Code of Alabama 1975, is amended to read as follows:

"§15-22-20

(a) There shall be a Board of Pardons and Paroles ~~which shall consist~~ that consists of ~~three~~ five members. The membership of the board shall be inclusive and reflect the racial, gender, geographic, ~~urban/rural, or~~ urban, rural, and economic diversity of the state. At least one member shall be a current or former law enforcement officer with a minimum of 10 years' experience in or with a law enforcement agency ~~which~~



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29 that has among its primary duties and responsibilities the
30 investigation of violent crimes or the apprehension, arrest,
31 or supervision of the perpetrators ~~thereof~~.

32 (b) Any vacancy occurring on the board, whether for an
33 expired or unexpired term, shall be filled by appointment by
34 the Governor, with the advice and consent of the Senate, from
35 a list of five qualified ~~persons nominated~~ individuals
36 submitted by a ~~board~~ nominating committee consisting of the
37 Lieutenant Governor, the Speaker of the House of
38 Representatives, and the President Pro Tempore of the Senate.
39 The nominating ~~board shall~~ committee, as soon as practicable
40 after a vacancy occurs, whether for an expired or unexpired
41 term, shall meet and select by majority vote the names of five
42 ~~persons~~ individuals to be submitted to the Governor. The ~~board~~
43 nominating committee shall immediately submit its nominations
44 to the Governor, who shall make his or her appointment from
45 the list within 10 days. Appointees shall begin serving
46 immediately upon appointment, until confirmed or rejected by
47 the Senate. Appointments made at times when the Senate is not
48 in regular session shall be effective ad interim. Any
49 appointment made by the Governor while the Senate is in
50 regular session must be submitted to the Senate not later than
51 the third legislative day following the date of the
52 appointment; ~~any~~. Any appointment made while the Senate is not
53 in regular session shall be submitted not later than the third
54 legislative day following the reconvening of the Legislature
55 in regular session. If the Senate fails to vote on an
56 appointee's confirmation before adjourning sine die during the



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57 regular session in which the appointee is appointed, the
58 appointee is deemed to be confirmed.

59 (c) Members of the board shall be appointed for terms
60 of six years commencing on July 1 ~~in the years 1953, 1955, and~~
61 ~~1957~~, and shall serve until their successors are appointed and
62 qualified. Any person appointed to fill the vacancy for an
63 unexpired term shall vacate the office upon the expiration of
64 that unexpired term.

65 (d) The Governor shall designate one of the members as
66 chair, and the chair shall preside at sessions of the board.

67 (e) Each member shall take the constitutional oath of
68 office and shall be subject to impeachment for any of the
69 causes specified in Section 173 of the Constitution; ~~and the~~
70 of Alabama of 2022. The procedure in cases of impeachment
71 shall be in the manner provided by Section 175 of the
72 Constitution; ~~provided, however, that in the event~~ of Alabama
73 of 2022. If the Governor ~~shall determine~~ determines that any
74 member of the board is incapacitated by reason of physical or
75 mental disability or illness to the extent that the member
76 cannot efficiently perform the duties of his or her office, he
77 or she shall direct the Attorney General to proceed to the
78 determination of that issue in an inquisition proceeding
79 instituted by him or her in the Circuit Court of Montgomery
80 County, Alabama. ~~In the event the issue is determined in~~ If
81 the court rules against the board member, the court shall
82 declare the office vacant, ~~and the same office~~ shall be shall be
83 vacated, and a successor shall be appointed, ~~as provided in~~
84 this section.



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85 (f) ~~Two~~ Three members of the board ~~shall constitute~~
86 constitute a quorum for the transaction of the official
87 business of the board.

88 (g) The members of the board shall hold no other office
89 of profit during their incumbency.

90 (h) The annual compensation of the chair and each
91 associate member of the Board of Pardons and Paroles shall be
92 an amount as is provided by law. The salaries shall be paid in
93 equal installments from the State Treasury in the same manner
94 that salaries of other state officers are paid."

95 Section 2. This act shall become effective on October
96 1, 2024.