

SB201 INTRODUCED



1 SB201
2 36L4ZVZ-1
3 By Senator Weaver
4 RFD: Judiciary
5 First Read: 06-Mar-24



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SYNOPSIS:

Under existing law, when a person is convicted of organized retail theft, upon request of the district attorney, the court is required to order that the defendant pay restitution.

This bill would specifically include within the list of entities due to receive restitution the local sheriff's office and would include the housing and care of the defendant within the calculation of payable restitution costs.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Retail Theft Crime Prevention Act; to amend Section 1 of Act 2023-531, 2023 Regular Session, now appearing as Section 13A-8-227, Code of Alabama 1975, to further provide for the required payment of restitution by the offender following a conviction.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act 2023-531, 2023 Regular Session, now appearing as Section 13A-8-227, Code of Alabama 1975, is amended to read as follows:



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29 "§13A-8-227

30 (a) Any proceeds, property obtained by proceeds, or
31 instruments of the crimes of organized retail theft or retail
32 theft may be subject to forfeiture pursuant to the procedures
33 set forth in Section 20-2-93.

34 (b) When a person is convicted of organized retail
35 theft, upon request of the district attorney, the court shall
36 order the defendant to make restitution as follows:

37 (1) To the retail merchant victim, pursuant to the
38 procedures set forth in Section 15-18-67.

39 (2) To the primary investigative law enforcement and
40 prosecutorial entities for any legitimate cost incurred in the
41 course of the investigation or prosecution, ~~pursuant to the~~
42 ~~procedures set forth in Section 20-2-190(j)~~ upon request of the
43 district attorney and an order of the court, or an amount
44 agreed upon by the district attorney.

45 (3) To the sheriff for the cost of any housing and care
46 of the person convicted."

47 Section 2. This act shall become effective on October
48 1, 2024.