

1 HB544  
2 117349-1  
3 By Representative Page  
4 RFD: Government Appropriations  
5 First Read: 11-FEB-10

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8 SYNOPSIS: Under existing law, juvenile probation  
9 officers in counties having a population of 99,000  
10 or less according to the 1990 federal census are  
11 state employees under the administration of the  
12 Administrative Office of Courts, and juvenile  
13 probation officers in counties having a population  
14 of more than 99,000 are county employees and paid  
15 on a pay scale set by the county but subsidized by  
16 the state.

17 This bill would provide that if the  
18 Administrative Office of Courts reduces funding by  
19 a certain percentage for state juvenile probation  
20 services, the salary subsidies for those juvenile  
21 probation officers in counties having a population  
22 of more than 99,000 according to the 1990 federal  
23 decennial census shall be reduced by the same  
24 percentage.

25  
26 A BILL  
27 TO BE ENTITLED

1 AN ACT

2  
3 To amend Section 12-5A-5, Code of Alabama 1975,  
4 relating to juvenile probation officers, to provide that if  
5 the Administrative Office of Courts reduces funding by a  
6 certain percentage for state juvenile probation services, the  
7 salary subsidies for those juvenile probation officers in  
8 counties having a population of more than 99,000, according to  
9 the 1990 federal decennial census, shall be reduced by the  
10 same percentage.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 12-5A-5 of the Code of Alabama  
13 1975, is amended to read as follows:

14 "§12-5A-5.

15 "(a) On the effective date of this chapter, any  
16 juvenile probation officer serving the juvenile court and any  
17 clerical employee or professional staff member who supports  
18 the juvenile probation officers shall become the base group of  
19 employees to be transitioned to be employees of the State of  
20 Alabama and be included in the state court system personnel  
21 system. The foregoing provision shall have no application or  
22 effect as to any position that is established and filled after  
23 passage of this chapter, unless prior written approval for the  
24 additional position is provided by the Administrative Director  
25 of Courts, nor shall it apply to any position or employee  
26 whose primary responsibility involves support to a juvenile  
27 detention or shelter care facility. Any controversy regarding

1 the composition of that class of persons or positions  
2 qualifying as court personnel under this chapter shall be  
3 determined by the Administrative Director of Courts whose  
4 decision shall be final.

5 "(b) Beginning October 1, 1998, the Administrative  
6 Office of Courts shall provide salary subsidies to each county  
7 for juvenile probation officers and shall continue those  
8 subsidies until the beginning of the fiscal year in which the  
9 juvenile probation officers are assumed by the state court  
10 system personnel system.

11 "(1) The Administrative Office of Courts shall  
12 allocate salary subsidies to each county for juvenile  
13 probation officers on the basis of one salary subsidy per  
14 15,000 population or a fraction thereof. Provided, however, if  
15 legislation is enacted to provide additional salary subsidies  
16 for additional juvenile probation officers, the salary subsidy  
17 ratio as provided herein shall be adjusted accordingly. The  
18 last federal decennial census shall be used for these  
19 calculations. If there are counties with a population of less  
20 than 30,000 which do not provide matching funds, the salary of  
21 one probation officer may be fully funded per county.

22 "(2) The Administrative Office of Courts shall  
23 expend funds to provide a salary subsidy of twenty-two  
24 thousand dollars (\$22,000) or one-half of the total salary  
25 actually paid to a juvenile probation officer, whichever is  
26 greater, for the number of probation officers' subsidies  
27 provided to a county in the formula in subdivision (1). The

1 subsidy shall be paid to each county only for juvenile  
2 probation officers authorized and employed. Employment for  
3 purposes of this subdivision includes temporary vacancies of  
4 30 days or less. Salary rates and ranges for juvenile  
5 probation officers shall be established by county personnel  
6 boards, county commissions, or any other local entities. These  
7 salary rates and ranges shall be adjusted to reflect a minimum  
8 salary for juvenile probation officers of twenty-two thousand  
9 dollars (\$22,000) effective October 1, 1994. In adjusting the  
10 salary rates and ranges of juvenile probation officers, no  
11 county shall reduce the portion it pays for any probation  
12 officer salary below the salary level in effect on January 1,  
13 1994.

14 "(3) On the first day of the fiscal year in which  
15 the juvenile probation officers of a county are transitioned  
16 to the state court system personnel system, juvenile probation  
17 officer salary subsidies shall no longer be paid to that  
18 county. ~~Counties having a population of more than 99,000~~  
19 ~~according to the 1990 federal decennial census~~ which were not  
20 transitioned to the state court system personnel system shall  
21 continue to receive salary subsidies as provided in  
22 subdivisions (1) and (2). Provided, however, if the  
23 Administrative Office of Courts reduces funding by a certain  
24 percentage for state juvenile probation services, the salary  
25 subsidies in subdivisions (1) and (2) shall be reduced by the  
26 same percentage."

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