

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 640
Department or Agency: Alabama Board of Pardons and Paroles
Rule No.: 640-X-7-.03
Rule Title: Certificate of Employability
Intended Action: New

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Cam Ward
Cam Ward

Date

Tuesday, May 19, 2026

REC'D & FILED

MAY 20, 2026

LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF PARDONS AND PAROLES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Pardons and Paroles

RULE NO. & TITLE: 640-X-7-.03 Certificate of Employability

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

To add a new rule establishing the procedures for issuing Certificates of Employability.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments may be directed to Alatia R. Midkiff, Alabama Bureau of Pardons and Paroles, 301 South Ripley Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, July 6, 2026

CONTACT PERSON AT AGENCY:

Alatia R. Midkiff
Attn: Legal Department
301 South Ripley Street
Montgomery, AL 36104

Cam Ward

Cam Ward

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Certificate of Employability.

(1) The agency shall issue a Certificate of Employability to individuals released on parole or mandatory supervised release who meet the eligibility criteria set forth below. The certificate recognizes the individual's efforts toward successful workforce reentry and their demonstrated ability to obtain and maintain employment.

(2) To qualify for a Certificate of Employability, an inmate must meet all of the following criteria:

(a) No violent disciplinary infractions during the current term of incarceration.

(b) No disciplinary infractions of any kind within the preceding 12 months of incarceration.

(c) While in custody of ADOC, successfully completed GED, higher education, or trade school.

(d) Have an ADOC custody level of Min-Community or Min-Out and the employment must be verified as current.

(3) The following individuals are not eligible to receive a Certificate of Employability:

(a) Any individual required to register as a sex offender pursuant to Code of Ala. 1975, Chapter 20A of Title 15.

(b) Any individual convicted of a violent offense as defined in Code of Ala. 1975, Section 12-25-32.

(4) When the agency provides notice of an inmate's parole eligibility date, the agency shall include information regarding the opportunity to obtain a Certificate of Employability and the criteria required for eligibility.

(5) Prior to the board's decision on parole, or release by the Alabama Department of Corrections to mandatory supervision, the agency shall conduct an Employability Review to determine whether the inmate meets the criteria for a Certificate of Employability.

(a) If parole is granted and all criteria are satisfied, the agency shall issue the Certificate of Employability, and the issuance shall be recorded in the board's minutes.

(b) When an inmate is within one week of the eligibility date for mandatory supervised release, as determined by the Alabama Department of Corrections, and all eligibility

criteria are satisfied, the board shall be notified, and such notification shall be recorded in the board's minutes.

(c) The certificate shall be provided to the individual upon reporting to the assigned parole officer immediately following release.

(d) If the board rescinds a grant of parole prior to release, any determination to issue a Certificate of Employability shall be void.

(e) If an otherwise eligible inmate becomes ineligible prior to release—due to a disciplinary infraction, conviction of a new felony offense, or other disqualifying event—the Certificate of Employability shall be void.

(6) Upon notification that a recipient of a Certificate of Employability has been convicted of a felony offense in any jurisdiction within the United States:

(a) The board shall be notified; the Certificate of Employability shall be revoked and entered into the board's minutes.

(b) The agency shall update its records, including any public listing on its website, to reflect the revocation.

Author: Eric Anderson, Scott Perkins, James Walters.

Statutory Authority: Code of Alabama 1975, §§ 15-22-21, 15-22-24.1, 15-22-37.

History: New Rule: Published _____; effective _____.