

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 640
Department or Agency: Alabama Board of Pardons and Paroles
Rule No.: 640-X-1-.01
Rule Title: Organizational
Intended Action: Repeal and Replace

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-1-.01 Organizational

INTENDED ACTION: Repeal and Replace

SUBSTANCE OF PROPOSED ACTION:

To repeal the prior rule so that the agency can adopt a new rule that better clarifies the organization and powers of the agency.

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)

~~Act 2019-393, which became effective September 1, 2019, created the Director of Pardons and Paroles to serve as the chief executive officer of the Agency to perform all administrative duties as provided by law. Pursuant to this Act, the three-member Board retained decision-making authority to grant or deny pardons, paroles, restoration of political and civil rights, remission of fines and forfeitures, and to revoke parole. As chief executive officer, the Director holds appointing and supervisory authority of all Agency employees, subject to the provisions of the Merit System Act; responsibility for meeting all Agency fiscal and budgetary requirements; responsibility for developing and implementing all Agency policies and procedures; and responsibility for supporting the Board's decision-making function by promulgating rules necessary for the performance of Board duties as well as maintaining a record of all official Board actions. The Director is the custodian of the Agency's records, keeper of the Agency's seal, and responsible for maintaining the Agency's Administrative Code.~~

~~**Author:** Meridith H. Barnes, Laura B. Mest, Greg Locklier~~

~~**Statutory Authority:** Code of Ala. 1975, §§~~15-22-21, 15-22-37.~~~~

~~**History:** Filed September 29, 1982. **Repealed and New Rule:** Filed April 9, 2002; effective May 14, 2002. **Repealed and New Rule:** Published January 31, 2020; effective March 16, 2020. **Repealed and New Rule:** Published January 31, 2020; effective March 16, 2020.~~

640-X-1-.01

Organizational.

(1) The Alabama Legislature created the Alabama Board of Pardons and Paroles, an agency with authority to make decisions concerning pardons, paroles, remissions, and restoration of civil and political rights and to supervise persons released to supervision in Alabama.

(2) The agency consists of:

(a) A three-member board granted certain exclusive decision-making authority and powers.

(b) A Director of Pardons and Paroles who serves as the chief executive officer of the agency and who is authorized to perform the administrative duties as provided by law.

(c) A division referred to as the Alabama Bureau of Pardons and Paroles under the authority of the director encompassing responsibilities of the agency, including administrative, supervisory, and operational activities, other than those reserved exclusively to the three-member board.

(3) The decision-making powers exclusive to the board include:

(a) The power to adopt rules, guidelines, or other policies.

(b) The power to grant or deny pardons, paroles, restoration of political and civil rights, and the remission of fines and forfeitures.

(c) The power to sanction persons paroled or released to mandatory supervision who violate conditions of their supervision.

(4) The authority and responsibilities of the director include:

(a) Appointing and supervising, subject to the provisions of the Merit System Act, all employees necessary to carry out the duties of the agency.

(b) Performing, on behalf of the agency, all fiscal and budgetary requirements imposed on the agency.

(c) Developing and implementing, on behalf of the board, all policies and procedures related to individuals under the agency's supervision.

(d) Attending, in person or by designee, all board meetings, acting as the board's secretary, and maintaining a record of the board's official actions.

(e) Recommending and promulgating rules, guidelines, and other policies for the board's consideration as necessary for the effective and efficient performance of the agency's duties.

(f) The power to act as the custodian of the agency's records.

(g) The power to maintain the agency's Administrative Code.

Author: Eric Anderson, James Walters.

Statutory Authority: Code of Alabama 1975, §§ 15-22-20, 15-22-21, 15-22-24, 15-22-37.

History: Filed September 29, 1982. Repealed and New Rule: Filed April 9, 2002; effective May 14, 2002. Repealed and New Rule: Published January 31, 2020; effective March 16, 2020. Repealed and New Rule: Published January 31, 2020; effective March 16, 2020. Repealed and New Rule: Published ; effective .