- 1 HB366
- 2 117380-2
- 3 By Representative Page
- 4 RFD: Government Appropriations
- 5 First Read: 19-JAN-10

1	<u>ENGROSSED</u>
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	To amend Section 12-2-159, Code of Alabama 1975,
9	relating to the Alabama Supreme Court Law Library to increase
10	the amount taxed as cost from \$5 for each appeal decided by
11	the Supreme Court of Alabama and the courts of appeals to \$50
12	for each appeal filed with the Supreme Court of Alabama and
13	the courts of appeals.
14	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
15	Section 1. The Legislature finds and declares the
16	following:
17	(1) In 1886, a law was enacted providing that the
18	sum of six dollars (\$6) be taxed as cost on each appeal
19	decided before the Supreme Court of Alabama, and that sum was
20	to be used for the maintenance of the Alabama Supreme Court
21	Law Library. This act was codified as Section 694, Code of
22	Alabama 1886.
23	(2) In 1896, this law was amended, reducing the
24	amount taxed as cost for maintenance for the library to five
25	dollars (\$5) for each appeal decided before the Supreme Court
26	or the courts of appeals. The amended statute was codified as

- Section 3854, Code of Alabama 1896 and is currently codified as Section 12-2-159, Code of Alabama 1975.
- 3 (3) At no time during the ensuing 114 years has the 4 amount taxed as cost for each appeal been amended, and the 5 amount currently taxed as cost for an appeal is inadequate to 6 maintain the law library.
- Section 2. Section 12-2-159, Code of Alabama 1975, 8 is amended to read as follows:
- 9 "\$12-2-159.

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- "(a) For the maintenance of the supreme court library there shall be taxed in each civil case decided by filed with the Supreme Court or the courts of appeals on appeal the sum of \$5.00 fifty dollars (\$50), which must be taxed and collected as other costs in the case and, when collected, must be paid by the clerk to the marshal and librarian, by whom it must be disbursed on the order of the justices.
- "(b) On the effective date of the act adding this subsection, subject to the Rules of the Alabama Supreme Court, the filing fee for all civil cases filed with the Supreme Court or the courts of appeals shall be reduced by forty-five dollars (\$45)."
- Section 3. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.

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3	House of Representatives
4 5 6 7 8	Read for the first time and referred to the House of Representatives committee on Government Appropriations 19-JAN-10
9 10 11 12	Read for the second time and placed on the calendar with 1 substitute and 28-JAN-10
13 14 15	Read for the third time and passed as amended
16 17 18 19	Greg Pappas Clerk