

1 HB218
2 188853-1
3 By Representative Grimsley (N & P)
4 RFD: Local Legislation
5 First Read: 16-JAN-18

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Henry County; to provide for a booking
14 fee to be imposed on each person booked into the Henry County
15 Jail and subsequently convicted of a crime; to provide for the
16 collection of the booking fee; and to provide for the
17 distribution of the revenues derived from the booking fee.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) (1) In Henry County, a booking fee in
20 the amount of forty-five dollars (\$45) shall be assessed
21 against and collected from each person booked or incarcerated
22 into the Henry County Jail and subsequently convicted.

23 (2) The fee assessed pursuant to this section shall
24 be in addition to any fines, court costs, or other charges
25 imposed.

1 (b) (1) The booking fee imposed by this section shall
2 be assessed against a defendant upon conviction by a court of
3 law where the defendant is convicted.

4 (2) The clerk of the court shall enter the amount of
5 the fee as provided in this section on the docket sheet and
6 shall collect the fee in the same manner and the same time as
7 court costs.

8 (3) Notwithstanding subdivision (2), the fee may not
9 be deemed a court cost based on collection by the clerk.

10 (c) The revenues derived from the booking fee shall
11 be distributed as follows: Twenty dollars (\$20) of the fee to
12 the Henry County Sheriff's Office, fifteen dollars (\$15) of
13 the fee shall be distributed to the Henry County Commission -
14 Jail Fund to be used for the operation of the jail, and ten
15 dollars (\$10) of the fee shall be distributed to the Henry
16 County Circuit Clerk Fund to be used for the operation of the
17 office.

18 (d) (1) In any case where the booking fee provided by
19 this section is not paid, the circuit clerk of the court may
20 assist in the collection of the fees.

21 (2) In addition, the sheriff may contract for the
22 collection of the fees and pay a portion of the fees as a cost
23 for collection.

24 (e) (1) The sheriff may withhold funds of a person
25 who is incarcerated in the Henry County Jail equal to the
26 amount of the booking fee which shall be applied toward the
27 assessment of the booking fee.

1 (2) If no conviction results, the moneys shall be
2 repaid to the defendant after dismissal of all charges or
3 acquittal.

4 (f) Any revenues derived from this section shall be
5 in addition to other funding sources for the Henry County
6 Sheriff's Office, the Henry County Commission - Jail Fund, and
7 the Henry County Circuit Clerk's Office and shall not reduce
8 any funding from any other sources.

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