

1 HB265
2 189146-1
3 By Representatives Shiver, Faust and Baker (N & P)
4 RFD: Baldwin County Legislation
5 First Read: 23-JAN-18

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Baldwin County; to amend Section
14 45-2-80.83 of the Code of Alabama 1975, relating to the
15 Baldwin County Law Library and Judicial Administration Fund;
16 to further provide for retirement for a part-time law
17 librarian.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 45-2-80.83 of the Code of Alabama
20 1975, is amended to read as follows:

21 "§45-2-80.83.

22 "(a) The sums to be paid to the Baldwin County
23 Commission, as herein provided, shall be kept in a special
24 fund designated as the Baldwin County Law Library and Judicial
25 Administration Fund and shall be expended by the Presiding
26 Circuit Judge of the Circuit Court of Baldwin County, to
27 create, establish, and maintain the law library and to provide

1 for the more effective administration of justice, including,
2 but not limited to: Paying the costs of securing the advice
3 and attendance of witnesses; registration fees and other
4 actual expenses incurred in attending seminars, institutes,
5 conferences, and other meetings in connection with continuing
6 legal and judicial education, membership fees, or dues in
7 legal and judicial organizations; paying the salaries of court
8 employees when necessary for the efficient operation of the
9 courts; and any other actual and necessary expenses incurred
10 by the judges of the circuit in promoting legal and judicial
11 competency. The presiding circuit judge shall draw warrants on
12 the county for expenditures by indicating on the warrants the
13 funds against which the warrants are to be drawn. One dollar
14 fifty cents (\$1.50) from each fee in the fund shall be used
15 primarily to purchase books, periodicals, and other library
16 fixtures and equipment as, in the opinion of the presiding
17 circuit judge, may be advisable, but to the extent not so used
18 the funds may be otherwise expended for the maintenance of the
19 library. Thirteen dollars fifty cents (\$13.50) from each fee
20 in the fund shall be used for the purposes of judicial
21 administration as provided in this section. The management of
22 the law library is and shall be vested in the Presiding Judge
23 of the Circuit Court of Baldwin County, and all books,
24 periodicals, reports, and other property purchased with the
25 funds produced by this subpart shall be the property of
26 Baldwin County. The presiding judge may from time to time sell
27 or exchange the books, reports, periodicals, and personal

1 property as may be necessary to keep the library up to date
2 and apply the proceeds of the sale thereof or the value
3 thereof upon the purchase of other books, reports,
4 periodicals, and personal property for use in the library. The
5 presiding judge of the circuit court may accept any gift or
6 loan of any books, reports, periodicals, and other property
7 for public use in the library upon the terms and conditions as
8 may be stipulated by the donor or lender thereof and as may be
9 agreeable to the judge. The presiding circuit judge may
10 designate the clerk of the circuit court or any other suitable
11 person to operate or assist in the operation of the library.
12 The funds established by this subpart shall be audited in the
13 same manner as other county funds are audited.

14 "(b) (1) A person employed by the presiding circuit
15 judge for 20 hours a week as a law librarian to operate or
16 assist in the operation of the law library shall be eligible
17 to participate in the Employees' Retirement System of Alabama.

18 "(2) Any funds necessary for the administration of
19 this subsection shall be taken from the Baldwin County Law
20 Library Operating Fund and shall be paid to the Baldwin County
21 Commission."

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