

1 SB424  
2 199739-2  
3 By Senator Ward (N & P)  
4 RFD: Shelby County Legislation  
5 First Read: 22-MAY-19

1 SB424

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Shelby County; to amend Section 7 of Act  
8 248, 1975 Regular Session (Acts 1975, p. 778), as last amended  
9 by Act 2016-221, 2016 Regular Session, relating to the office  
10 of the judge of probate; to further provide for a special  
11 recording fee on real property and personal property  
12 instruments; and to provide for the distribution of the  
13 additional fee.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 7 of Act 248, 1975 Regular  
16 Session (Acts 1975, p. 778), as last amended by Act 2016-221,  
17 2016 Regular Session, is amended to read as follows:

18 "Section 7. Special Recording Fees. A special index  
19 fee of ~~nine dollars (\$9)~~ sixteen dollars (\$16) shall be paid  
20 to the county, and collected by the judge of probate with  
21 respect to each real property instrument and each personal  
22 property instrument filed for record in the office of the  
23 judge of probate and for the recording of other instruments  
24 and documents in the probate office in the discretion of the  
25 governing body of the county. No instrument shall be recorded

1 in the office of the judge of probate unless the special index  
2 fee of sixteen dollars (\$16) is paid. The special index fee  
3 shall be in addition to all other fees, taxes, and other  
4 charges required by law for recording any real property  
5 instrument or personal property instrument, and for the  
6 recording of other instruments and documents in the office of  
7 the judge of probate in the discretion of the governing body  
8 of the county. All special index fees collected shall be  
9 deposited into the county treasury and credited to the account  
10 of a special fund to be expended as follows:

11 " (1) Of the fee collected, ~~five dollars (\$5)~~ seven  
12 dollars (\$7) shall be designated for payment of ~~initial~~  
13 installation costs, maintenance, and upgrades to electronic  
14 records systems utilized by the probate court and the costs as  
15 needed of additional equipment ~~including, but not limited to,~~  
16 ~~computer hardware and software,~~ that may be added to the  
17 probate office from time to time ~~and for other expenses in the~~  
18 ~~operation of the office at the discretion of the judge of~~  
19 ~~probate.~~ Any sums deposited or collected in excess of those  
20 needed for the purpose stated herein, in the sole discretion  
21 of the judge of probate, may be expended for the operations of  
22 the office of the judge of probate.

23 " (2) Of the fee collected, ~~two dollars (\$2)~~ three  
24 dollars (\$3) shall be designated for the operating expenses of  
25 the Shelby County Legislative Delegation Constituents' Office.

1 The fund shall be managed by the chair of the Shelby County  
2 Legislative Delegation Office.

3 " (3) Of the fees collected, ~~two dollars (\$2)~~ six  
4 dollars (\$6) shall be designated for the operation of mental  
5 health programs serving the county ~~to~~. One half of the total  
6 fee collected for mental health programs, three dollars (\$3),  
7 shall be administered by the judge of probate in his or her  
8 sole discretion and one half of the total fee collected for  
9 mental health programs, three dollars (\$3), shall be  
10 administered by the Shelby County Commission. The county  
11 commission funds shall be deposited into the county general  
12 fund and earmarked for the operation of mental health programs  
13 serving the county in accordance with this act.

14 ~~"Any sums deposited or collected in excess of those~~  
15 ~~needed to implement this act, in the sole discretion of the~~  
16 ~~judge of probate, may be expended for the operations of the~~  
17 ~~office of the judge of probate."~~

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

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB424

Senate 28-MAY-19

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 30-MAY-19

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By: Senator Ward