

1 HB451  
2 181097-3  
3 By Representative Hanes (N & P)  
4 RFD: Local Legislation  
5 First Read: 04-APR-17

2  
3  
4  
5  
6  
7  
8  
9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
12

13 Relating to Jackson County; providing for an  
14 additional court cost in all domestic violence cases in the  
15 circuit, district, and municipal courts; providing for the  
16 distribution of the proceeds to the county commission to be  
17 distributed to certain domestic violence shelters located in  
18 Jackson County and used for expenses related to the operation  
19 of those domestic violence shelters; to repeal Section  
20 45-36-80.03 and to provide for the distribution of any  
21 undistributed court costs collected pursuant to that Section.  
22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) In addition to all other costs and  
24 charges in circuit, district, and municipal court cases in  
25 Jackson County, there shall be levied and assessed by the  
26 clerk of the court a court cost of thirty-five dollars (\$35)  
27 in the following domestic violence cases:

1 (1) Any case in which the defendant is assessed  
2 court costs for any of the following offenses:

3 a. Domestic violence in the first degree pursuant to  
4 Section 13A-6-130, Code of Alabama 1975.

5 b. Domestic violence in the second degree pursuant  
6 to Section 13A-6-131, Code of Alabama 1975.

7 c. Domestic violence in the third degree pursuant to  
8 Section 13A-6-132, Code of Alabama 1975.

9 d. Domestic violence by strangulation or suffocation  
10 pursuant to Section 13A-6-138, Code of Alabama 1975.

11 e. Violation of a protective order pursuant to  
12 Section 13A-6-142, Code of Alabama 1975.

13 (2) Any case in which the judge has issued a final  
14 order on a petition for protection from abuse pursuant to  
15 Sections 30-5-1 to 30-5-11, Code of Alabama 1975.

16 (b) The clerk of the court shall collect the court  
17 costs. The clerk of the municipal court shall remit the  
18 proceeds to the circuit clerk monthly, and the circuit court  
19 shall remit all of the proceeds collected or received by the  
20 clerk quarterly to the Jackson County Commission or, in the  
21 case of court costs collected by the municipal court, to the  
22 governing body of the municipality. The court costs shall be  
23 disbursed by the county commission or governing body of the  
24 municipality to domestic violence shelters located in Jackson  
25 County that are certified pursuant to Chapters 6 and 7 of  
26 Title 30, Code of Alabama 1975, in compliance with the  
27 standards of operation of the Alabama Coalition Against

1 Domestic Violence. In order to receive funds, the domestic  
2 violence shelter shall submit a copy of its certification to  
3 the county commission annually, and the funds shall be divided  
4 equally between all domestic violence shelters that have  
5 submitted the appropriate certification. The funds shall be  
6 used exclusively for the operation of qualified domestic  
7 violence shelters located in Jackson County.

8 Section 2. Any court costs assessed pursuant to  
9 Section 45-36-80.03, Code of Alabama 1975, and not distributed  
10 as of the effective date of this act shall be remitted to the  
11 county commission or the governing body of the collecting  
12 municipality, as the case may be, and distributed as provided  
13 in Section 1.

14 Section 3. Section 45-36-80.03 of the Code of  
15 Alabama 1975, is repealed.

16 Section 4. This act shall become effective  
17 immediately following its passage and approval by the  
18 Governor, or its otherwise becoming law.