

1 HB599
2 184583-1
3 By Representative Lindsey (N & P)
4 RFD: Local Legislation
5 First Read: 04-MAY-17

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Cherokee County; to amend Section
14 45-10-81 of the Code of Alabama 1975, authorizing the county
15 commission to establish and maintain a public law library in
16 the county; to increase the law library fee and further
17 provide for operation of the county law library.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 45-10-81 of the Code of Alabama
20 1975, is amended to read as follows:

21 "§45-10-81.

22 "(a) The governing body of Cherokee County, Alabama,
23 ~~is hereby authorized to~~ may establish and maintain a public
24 law library in the county, and, to accomplish that purpose,
25 may, from time to time, expend ~~such~~ public funds of the county
26 as are not required by law to be expended for any other
27 purpose or purposes: To provide suitable accommodations and

1 facilities therefor, to keep the same in a good state of
2 maintenance and repair; and from time to time, to provide such
3 supplies, books, reports, and periodicals for the library, as
4 may be needed therefor, out of the proceeds of the special
5 fund created by this section, or ~~otherwise~~ for such other
6 purposes as provided for in Section 11-25-13.

7 " (b) In order to provide a special fund for the
8 creation and maintenance of the library there shall be taxed
9 as costs the sum of ~~one dollar fifty cents (\$1.50)~~ five
10 dollars and fifty cents (\$5.50) in each civil or quasi-civil
11 action at law, suit in equity, criminal case, quasi-criminal
12 case, proceedings on a forfeited bail bond or proceedings on a
13 forfeited bond given in connection with an appeal from a
14 judgment or conviction in any inferior or municipal court of
15 such county in the Circuit Court of Cherokee County, Alabama,
16 or the District Court of Cherokee County, Alabama, hereinafter
17 filed in or arising in the Circuit Court of Cherokee County,
18 Alabama, or the District Court of Cherokee County, Alabama, or
19 brought by appeal, certiorari or otherwise to the Circuit
20 Court of Cherokee County, Alabama, or the District Court of
21 Cherokee County, Alabama, which costs shall be collected as
22 other costs in such cases are collected by the clerk, or ex
23 officio clerk, of the courts or the register of the Circuit
24 Court of Cherokee County thereof, as the case may be, and
25 shall be paid to the governing body of Cherokee County,
26 Alabama.

1 "(c) The tax herein provided, to be paid to the
2 governing body of Cherokee County, Alabama, shall be kept by
3 the appropriate county official in a separate fund designated
4 as "Law Library Fund," and shall be expended by the judge of
5 the District Court of Cherokee County, Alabama, for
6 maintaining the law library. The district court judge shall
7 draw warrants on the "Law Library Fund," herein established,
8 indicating on the warrants the funds against which the
9 warrants are drawn. The powers and authority vested with the
10 presiding circuit judge of the judicial circuit pursuant to
11 Section 11-25-13 shall remain exclusively with the District
12 Court Judge of Cherokee County for the purpose of operating
13 the Cherokee County Law Library."

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