

1 HB545
2 173433-1
3 By Representative Faulkner (N & P)
4 RFD: Jefferson County Legislation
5 First Read: 19-APR-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Homewood located in
14 Jefferson County; to provide for a recall fee to allow a
15 municipal magistrate or judge for the City of Homewood to
16 recall, under certain conditions, a failure to appear warrant.
17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. (a) Notwithstanding any law to the
19 contrary, a municipal judge or a municipal magistrate of the
20 City of Homewood, Alabama, may assess a defendant with a
21 warrant recall fee that shall be paid in order for a municipal
22 judge or magistrate to recall a failure to appear warrant
23 arising from any municipal ordinance violation against the
24 City of Homewood.

25 (b) The warrant recall fee shall be one hundred
26 dollars (\$100) and is to be paid by the defendant at the time
27 the warrant is recalled.

1 (c) Nothing herein shall be construed to require the
2 City of Homewood to recall a warrant that has been issued. All
3 orders to recall a warrant shall be issued solely in the
4 discretion of the municipal judge or magistrate.

5 Section 2. All fees received by the City of Homewood
6 Municipal Court for the recall fee shall be deposited into the
7 City of Homewood Corrections Fund and allocated in conformity
8 with subsection (a) of Section 11-47-7.1 of the Code of
9 Alabama 1975.

10 Section 3. The provisions of this act are severable.
11 If any part of this act is declared invalid or
12 unconstitutional, that declaration shall not affect the part
13 which remains.

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