- 1 HB92
- 2 155666-2
- 3 By Representative Beckman (N & P)
- 4 RFD: Local Legislation
- 5 First Read: 14-JAN-14
- 6 PFD: 01/06/2014

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2 ENROLLED, An Act,

Relating to Elmore County; to amend Section

45-26-81.22 of the Code of Alabama 1975, authorizing the judge of probate to establish a policy on the sale of or access to computerized index information or digitized images; to provide further for the use of funds received from the sale of such information.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-26-81.22 of the Code of Alabama 1975, is amended to read as follows:

12 "\$45-26-81.22.

"(a) In Elmore County, a special recording fee of three dollars (\$3) shall be collected by the office of the judge of probate on each real or personal property, Uniform Commercial Code, judicial, or other instrument recorded or filed for record. The special recording fees shall be in addition to all other fees, taxes, and other charges required by law to be paid upon the recording or filing for record of any real or personal property, Uniform Commercial Code, judicial, or other instrument. All fees collected shall be deposited by the judge of probate in any depository in the county as designated by the county governing body.

"(b) The fees collected under this section shall be expended at the discretion of the judge of probate with the

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approval of the county commission for the preservation and restoration of court records and documents and to develop, purchase, install, upgrade, and maintain a computerized system for recording, indexing, imaging, and storing of real and personal property records, Uniform Commercial Code filings, judicial proceedings, financial accounts, and any other records required to be maintained by the office of the judge of probate and the probate court.

"(c) The judge of probate may retain all or parts of court records for archival purposes utilizing optical disks, or other acceptable computerized methods for records storage, or any combination thereof. The use of microfilm to retain and archive court records in the county may be discontinued and replaced with digitized or scanned images of records committed to optic disks, or the like. Records archived and retained on optic disks, or the like, shall constitute official records of the office of the judge of probate and of the probate court and may be compiled and certified and sold to the public in accordance with applicable statutes. All funds collected for copies and certifications shall be paid to the county general fund.

"(d) The judge of probate from time to time shall establish a policy on the sale of or access to computerized index information and digitized images maintained in the office of the judge of probate and in the probate court. All

1	funds received from the sale of the information and images		
2	shall be paid to the county general fund for purposes of		
3	establishing and maintaining the archival and indexing		
4	equipment and expended at the discretion of the judge of		
5	probate for acquiring and maintaining equipment, improving the		
6	efficiency of the operations of the office, supplementing		
7	salaries, and acquiring and maintaining office space.		
8	"(e) This section is cumulative. Nothing contained		
9	in this section shall alter or change an existing law relating		
10	to charges and fees to be collected by the Judge of Probate of		
11	Elmore County."		
12	Section 2. This act shall become effective on the		
13	first day of the third month following its passage and		
14	approval by the Governor, or its otherwise becoming law.		

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4		Speaker of the House of Representatives	
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6		President and Presiding Officer of the Senate	Э
7		House of Representatives	
8 9	I hereby certify that the within Act originated in and was passed by the House 16-JAN-14.		
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11 12		Jeff Woodard Clerk	
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16	Senate	25-FEB-14	Passed
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