

1 HB172
2 151053-2
3 By Representative Hill (N & P)
4 RFD: Shelby County Legislation
5 First Read: 14-JAN-14

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ENROLLED, An Act,

Relating to the City of Pelham in Shelby County; to provide under certain conditions for the assessment of a prisoner transport fee on a prisoner for expenses incurred in transporting a prisoner, due to an outstanding misdemeanor warrant, to the municipal jail for the City of Pelham.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Notwithstanding any law to the contrary, the Municipal Court of the City of Pelham in Shelby County may assess a prisoner transport fee against a defendant for expenses incurred in transporting the defendant on an Pelham Municipal Court misdemeanor warrant from another municipal jail, county jail, or a state detention facility to the municipal jail for the City of Pelham.

(b) The fee provided in this act may be assessed in all criminal cases by the municipal judge when a transport is required as described in subsection (a), and may be collected only when a defendant is adjudicated guilty or pleads guilty on or after the effective date of this act. The prisoner transport fee shall be collected from the defendant as court costs and other fees are collected.

(c) Assessment of a prisoner transport fee by the municipal court is permitted only when transport of a

1 defendant is required from outside the police jurisdiction of
 2 the City of Pelham, but within the State of Alabama.

3 (d) If assessed pursuant to this act, a prisoner
 4 transport fee for transportation expenses incurred shall be
 5 determined by the municipal court at the time a defendant is
 6 adjudicated guilty or pleads guilty. The fee shall be based on
 7 the total distance that the defendant is transported, accord-
 8 ing to the following schedule:

9	Distance Transported	Transport Fee Charge
10	Less than 39 miles round trip	\$100
11	40 miles to 99 miles round trip	\$200
12	100 miles to 200 miles round trip	\$250
13	Greater than 200 miles round trip	\$300

14 Section 2. All fees received by the City of Pelham
 15 Municipal Court for the prisoner transport fee shall be
 16 deposited into the City of Pelham General Fund and allocated
 17 in conformity with subsection (a) of Section 11-47-7.1 of the
 18 Code of Alabama 1975.

19 Section 3. The provisions of this act are severable.
 20 If any part of this act is declared invalid or
 21 unconstitutional, that declaration shall not affect the part
 22 which remains.

1 Section 4. All laws or parts of laws which conflict
2 with this act are repealed.

3 Section 5. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 13-FEB-14.

Jeff Woodard
Clerk

Senate 18-MAR-14 Passed