

1 SB167
2 156145-3
3 By Senators Bedford, Irons, Whatley and Waggoner
4 RFD: Judiciary
5 First Read: 14-JAN-14

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Section 12-19-43, Code of Alabama 1975,
12 relating to the probate court; to provide for the payment of
13 court costs at the discretion of the court at the time that
14 petitions, motions, and other pleadings are filed; and to
15 provide for the payment of security deposits as ordered by the
16 court to cover expected costs.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Section 12-19-43, Code of Alabama 1975,
19 is amended to read as follows:

20 "§12-19-43.

21 "(a) Except as otherwise provided by local act or
22 general act with local application, fees Fees allowed by law
23 for services in connection with proceedings before probate
24 judges shall be due only, at the discretion of the court, may
25 be collected at the time a pleading is filed in probate court
26 or at the termination of the suit, except that fees. Fees for
27 transcripts of papers filed in the case, ~~other than copies of~~

1 ~~cost or fee bills,~~ to which parties are entitled as of course,
2 shall be due when the service is performed, ~~and no fee, except~~
3 ~~for final record, shall be demanded or received in any case~~
4 ~~unless the service has been performed.~~

5 "(b) In cases where appropriate, the court may order
6 that security deposits be deposited into the probate court to
7 cover expected court costs. Any unused security deposits shall
8 be returned to the payor."

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

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Senate

Read for the first time and referred to the Senate
committee on Judiciary..... 14-JAN-14

Read for the second time and placed on the calen-
dar 1 amendment..... 06-FEB-14

Read for the third time and passed as amended 12-FEB-14

Yeas 31
Nays 1

Patrick Harris
Secretary