

1 SB201
2 155848-2
3 By Senators Brewbaker, Smitherman, Dial and Bedford
4 RFD: Finance and Taxation General Fund
5 First Read: 15-JAN-14

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8 SYNOPSIS: Under current law, the circuit and district
9 courts do not collect an administrative fee from
10 agencies and entities for distributing docket fees
11 to such agencies and entities. This bill would
12 allow circuit and district courts to retain five
13 percent of each docket fee collected as an
14 administrative collection fee, with certain
15 exceptions.

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17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 Relating to docket fees; to provide that courts
22 shall retain a five percent administrative collection fee on
23 each docket fee; and to provide for exceptions.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) Notwithstanding any law to the
26 contrary, of each docket fee collected in circuit and district
27 court, the court clerk shall retain five percent (5%) of the

1 docket fee as an administrative collection fee, except as
2 provided in subsection (b), to be distributed to the State
3 Judicial Administration Fund established pursuant to Section
4 12-19-310. Said administrative collection fee shall be
5 retained by the court clerk prior to any docket fee
6 distribution to any agency or entity entitled to such docket
7 fee and shall not be imposed on any civil litigant or criminal
8 defendant in addition to statutory docket fees. The
9 administrative collection fee shall reduce each docket fee,
10 fixed or otherwise, distributed to any agency or entity by
11 five percent (5%).

12 (b) The administrative collection fee provided for
13 in subsection (a) shall not be retained by the court clerk in
14 any of the following:

15 (1) Any docket fee collected in a juvenile case

16 (2) Any docket fee collected in a child support case

17 (3) Any docket fee that is distributed to the State
18 General Fund

19 (4) Any docket fee that is distributed to the State
20 Judicial Administration Fund

21 (5) Any docket fee that is distributed to the
22 Presiding Circuit Judge's Judicial Administration Fund in any
23 judicial circuit

24 (6) Any docket fee that is distributed to the
25 Circuit Clerk's Judicial Administration Fund in any county; or

26 (7) Any other docket fee that is mandated to be
27 collected by the circuit clerk and distributed for use by any

1 court, the Administrative Office of Courts, or the Unified
2 Judicial System.

3 (c) The Administrative Office of Courts may
4 promulgate any rules necessary to administer this section.

5 Section 2. This act shall become effective
6 immediately after its passage and approval by the Governor, or
7 its otherwise becoming law.