

1 HB448
2 139946-1
3 By Representatives Coleman-Evans, Moore (M), Scott, Rogers and
4 Givan (N & P)
5 RFD: Jefferson County Legislation
6 First Read: 20-MAR-13

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Birmingham located in
14 Jefferson County; to provide for a warrant recall fee to allow
15 a municipal magistrate or judge of the City of Birmingham 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 Birmingham, 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 Birmingham.

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 Birmingham to recall a warrant that has been issued.
3 All 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
6 Birmingham Municipal Court for the warrant recall fee shall be
7 deposited into the City of Birmingham Corrections Funds and
8 allocated in conformity with subsection (a) of Section
9 11-47-7.1 of the Code of Alabama 1975.

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