

1 HB478
2 146720-1
3 By Representative Laird (N & P)
4 RFD: Local Legislation
5 First Read: 20-MAR-13

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8 SYNOPSIS: Under existing law, the Clay County
9 Commission is authorized to impose a fee up to \$50
10 on each civil and criminal case filed in the
11 circuit or district court, or any municipal court
12 in Clay County.

13 This bill would remove the Clay County
14 Commission's authorization to impose this fee on
15 any case filed in a municipal court in Clay County
16 and authorize the governing body of a municipality
17 to impose the same fee on each civil and criminal
18 case filed in the municipal court.

19 This bill would also provide that the
20 municipal court fee would be retained by the
21 municipality where collected.

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23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 Relating to Clay County; to amend Section
2 45-14-80.03 relating to court costs; to provide that a
3 municipality in Clay County may assess a fee on any case filed
4 in the municipal court; and to provide that the municipal
5 court fee would be retained by the municipality where
6 collected.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 45-14-80.03, Code of Alabama
9 1975, is amended to read as follows:

10 "§45-14-80.03.

11 "(a) In addition to any court costs and fees now or
12 hereafter authorized in Clay County, the Clay County
13 Commission may impose by resolution of the commission an
14 additional fee in an amount not to exceed fifty dollars (\$50)
15 to be assessed and taxed as costs on each civil case and on
16 each criminal case, including traffic cases, filed in the
17 circuit court, or district court, ~~or any municipal court~~ in
18 Clay County. These fees shall not be waived by any court
19 unless all other fees, assessments, costs, fines, and charges
20 associated with the case are waived.

21 (b) In addition to any court costs and fees now or
22 hereafter authorized in Clay County, the governing body of any
23 municipality in Clay County may impose by resolution of the
24 governing body an additional fee in an amount not to exceed
25 fifty dollars (\$50) to be assessed and taxed as costs on each
26 civil case and on each criminal case, including traffic cases,
27 filed in the municipal court. These fees shall not be waived

1 by any court unless all other fees, assessments, costs, fines,
2 and charges associated with the case are waived.

3 ~~"(b)~~ (c) When collected by the clerk of the district
4 or circuit court or ~~his or her~~ court collection officers, the
5 additional fees shall be paid into the General Fund of Clay
6 County. When collected by the municipal court, the additional
7 fees shall be paid to the general fund of the municipality
8 where collected."

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.