

1 HB480  
2 147220-2  
3 By Representative Hill (N & P)  
4 RFD: Shelby County Legislation  
5 First Read: 20-MAR-13

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ENROLLED, An Act,

Relating to Shelby County; to further amend Section 7 of Act 248, of the 1975 Regular Session (Acts 1975, p. 778), as last amended by Act 2010-530, 2010 Regular Session (Acts 2010, p. 890), relating to the office of the judge of probate and providing for a special recording fee on real property and personal property instruments, so as to further provide for the fee and distribution of the additional fee.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 7 of Act 248 of the 1975 Regular Session (Acts 1975, p. 778), as last amended by Act 2010-530, 2010 Regular Session (Acts 2010, p. 890), is further amended to read as follows:

"Section 7. Special Recording Fees. A special index fee of eight dollars (\$8) shall be paid to the county, and collected by the judge of probate with respect to each real property instrument and each personal property instrument filed for record in the office of the judge of probate and for the recording of other instruments and documents in the probate office in the discretion of the governing body of the county. No instrument shall be recorded in the office of the judge of probate unless the special index fee of eight dollars (\$8) is paid. The special index fee shall be in addition to all other fees, taxes, and other charges required by law for

1 recording any real property instrument or personal property  
2 instrument, and for the recording of other instruments and  
3 documents in the office of the judge of probate in the  
4 discretion of the governing body of the county. All special  
5 index fees collected shall be deposited into the county  
6 treasury and credited to the account of a special fund to be  
7 expended as follows:

8 "(1) Of the fee collected, four dollars (\$4) shall  
9 be designated for payment of initial installation costs and  
10 the cost as needed of additional equipment that may be added  
11 to the probate office from time to time.

12 "(2) Of the fee collected, two dollars (\$2) shall be  
13 designated for the operating expenses of the Shelby County  
14 Constituents' Office. The fund shall be managed by the chair  
15 of the Shelby County Legislative Delegation Office.

16 "(3) Of the fees collected, two dollars (\$2) shall  
17 be designated for the operation of mental health programs  
18 serving the county to be administered by the judge of probate  
19 in his or her sole discretion.

20 "Any sums deposited or collected in excess those  
21 needed to implement this act, in the sole discretion of the  
22 judge of probate, may be expended for the operations of the  
23 office of the judge of probate."

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

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Speaker of the House of Representatives

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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 18-APR-13.

Jeff Woodard  
Clerk

Senate

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20-MAY-13

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Passed