

1 HB86
2 135736-2
3 By Representative Beckman
4 RFD: Judiciary
5 First Read: 07-FEB-12
6 PFD: 01/23/2012

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ENGROSSED

A BILL
TO BE ENTITLED
AN ACT

To amend Section 12-19-49 of the Code of Alabama 1975, to allow filing fees to be taxable as costs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-19-49 of the Code of Alabama 1975, is amended to read as follows:

"§12-19-49.

"(a) Prepaid fees shall be assessed as additional costs of the proceedings when costs are assessed against the defendant.

"(b) A plaintiff may have execution against a defendant for prepaid fees assessed as costs against a defendant by a final judgment.

"(c) Execution may be had against a plaintiff when execution against a defendant for unpaid fees results in a sheriff's return indicating "no property found."

"(d) Any Except in probate court, any fee required for filing a pleading or paper payable to the clerk of the court at the time of filing, including administrative cost or electronic draft, shall be taxable as costs."

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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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Judiciary 07-FEB-12

Read for the second time and placed
on the calendar 1 amendment 16-FEB-12

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

Yeas 79, Nays 7, Abstains 7

Greg Pappas
Clerk