

1 HB648
2 134457-4
3 By Representatives McMillan, Baker, Shiver, Faust and Davis (N
4 & P)
5 RFD: Baldwin County Legislation
6 First Read: 05-APR-12

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ENROLLED, An Act,

Relating to Baldwin County; to amend Section 45-2-231.90 of the Code of Alabama 1975, providing for a service of process fee in the district and circuit courts of the county and establishing the Sheriff's Service of Process Serving Fund; to provide for the circuit clerk to retain a portion of each fee for the operation of the circuit clerk's office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-2-231.90 of the Code of Alabama 1975, is amended to read as follows:

"§45-2-231.90.

"(a) This section shall only apply to Baldwin County.

"(b) The Baldwin County Sheriff Service of Process Serving Fund is created and hereinafter referred to in this section as the fund.

"(c) The Sheriff of Baldwin County, except for warrants for arrest, may contract with or enter into contract or agreement with a private, public, or governmental entity for the purpose of service of process.

"(d) (1) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the criminal division of the

1 district and circuit courts of Baldwin County, shall collect a
2 service of process fee of twenty dollars (\$20) per document
3 which shall be paid into the fund.

4 "(2) In addition to all existing charges, fees,
5 judgments, and costs of court, the clerk, sheriff, or other
6 appropriate court official in the civil division of the
7 district and circuit courts of Baldwin County, shall collect a
8 service of process fee of twenty dollars (\$20) per document
9 which shall be paid into the fund.

10 "(3) The court official designated in Baldwin County
11 by law for the respective courts shall collect the service of
12 process fee designated in subdivisions (1) and (2) and ~~remit~~
13 shall retain two dollars (\$2) of each fee for deposit in the
14 circuit clerk's fund for the operation of the office of
15 circuit clerk or for compensation or reimbursement of mileage
16 incurred by jurors. The remainder of the fees collected shall
17 be remitted to the sheriff for deposit in the ~~fund~~ Sheriff's
18 Service of Process Serving Fund.

19 "(e) The sheriff may use the monies generated by
20 this section for law enforcement purposes in Baldwin County,
21 as the sheriff sees fit, including contracting with or
22 entering into a contract or agreement with a private, public,
23 or governmental entity for service of process of documents
24 from the civil or criminal division of the district or circuit

1 court. The funds shall not revert to the general fund of the
2 county at the end of the fiscal year."

3 Section 2. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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 17-APR-12.

Greg Pappas
Clerk

Senate

03-MAY-12

Passed