

1 HB735
2 141360-2
3 By Representative Jones (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 19-APR-12

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ENROLLED, An Act,

Relating to Covington County; proposing an amendment to the Constitution of Alabama of 1901, to further provide for the law library fee in the county and to ratify, approve, validate and confirm court costs levied pursuant to local law enacted prior to the adoption of this amendment.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

(a) In addition to any court costs or fees now or hereafter authorized, and notwithstanding any other provisions of the Constitution including, without limitation, Sections 96, 104, and 105, there shall be in Covington County, in each civil or quasi-civil action at law, suit in equity, criminal, or quasi-criminal case or any other proceeding filed in, arising in, or brought by appeal, certiorari, or otherwise in the circuit court, inferior court, or other court in the county, including municipal courts, there shall be taxed as part of the costs the sum of twelve dollars (\$12). The fees taxed under this section shall be collected as other costs in such cases are collected; and when collected by the clerk or

1 other collecting officers of such courts, including the
2 register of the circuit court, shall be paid to the treasurer
3 or depository as herein set forth. The sums so paid over to
4 the county treasury or depository shall be maintained in a
5 separate account in the county treasury or depository
6 designated as the county law library fund. The funds shall be
7 expended by the judges of the circuit court of the county for
8 establishing, maintaining, equipping, and operating a law
9 library within the county and for the administration of the
10 courts in the circuit. The judges shall authorize the county
11 treasurer to draw warrants on the county treasury or
12 depository in making expenditures for the purposes
13 contemplated in this section and shall indicate on the
14 warrants the fund against which the warrants are drawn. The
15 items of costs referred to above shall be designated as law
16 library fees; and when any part of the costs in a case has
17 been paid, the amount necessary for the payment of the fee
18 shall be applied thereto before applying any of the amount
19 paid as costs to any other item of costs. On or before the
20 tenth day of each month, the clerks or other collecting
21 officers of the courts, including the register of the circuit
22 court, shall pay over to the county treasurer or depository
23 all amounts collected as law library fees prior to the first
24 day of the month. The management of the law library is rested
25 in the judges of the circuit court in the county. All books or

1 other property purchased with the funds produced by this
2 section shall be the property of the county. The court costs
3 levied pursuant to this amendment shall be in lieu of the
4 court costs levied pursuant to Act 1983-68 and said act shall
5 be inoperable following the effective date of this amendment.

6 (b) Any local law enacted prior to the effective
7 date of this amendment which in whole or in part regulate
8 costs and charges of courts in Covington County are hereby in
9 all things ratified, approved, validated and confirmed as of
10 the date of their enactment any provisions of the Constitution
11 of Alabama 1901 to the contrary notwithstanding. Any actions
12 taken or payments made in accordance with the provisions of
13 said laws are hereby ratified, approved, validated and
14 confirmed.

15 Section 2. An election upon the proposed amendment
16 shall be held in accordance with Amendment 555 to the
17 Constitution of Alabama of 1901, now appearing as Section
18 284.01 of the Official Recompilation of the Constitution of
19 Alabama of 1901, as amended, and the election laws of this
20 state.

21 Section 3. The appropriate election official shall
22 assign a ballot number for the proposed constitutional
23 amendment on the election ballot and shall set forth the
24 following description of the substance or subject matter of
25 the proposed constitutional amendment:

1 "Relating to Covington County, proposing an
2 amendment to the Constitution of Alabama of 1901, to further
3 provide for the law library fee in the county and to ratify,
4 approve, validate and confirm any court costs levied pursuant
5 to local law enacted prior to the adoption of this amendment.

6 "Proposed by Act _____"

7 This description shall be followed by the following
8 language:

9 "Yes () No ()."

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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 26-APR-12.

Greg Pappas
Clerk

Senate 03-MAY-12 Passed