

1 HB552  
2 117817-1  
3 By Representative Warren (Constitutional Amendment)  
4 RFD: Local Legislation  
5 First Read: 11-FEB-10

SYNOPSIS: Existing law allows Macon County to impose court costs to fund the county jail.

This bill would propose a local constitutional amendment to the Constitution of Alabama of 1901, relating to Macon County, to further provide for any court costs and fees collected pursuant to this amendment that were deposited into the Macon County Road and Bridge Fund prior to the financing of the new county jail and were not pledged for the county jail, may be used by the Macon County Commission for roads and bridges.

A BILL  
TO BE ENTITLED  
AN ACT

To amend Amendment 530 to the Constitution of Alabama of 1901, now appearing as Section 4, Local Amendments, Macon County, Official ReCompilation of the Constitution of

1 Alabama of 1901, as amended, relating to court costs collected  
2 for the county jail, to further provide for any court costs  
3 and fees collected pursuant to this amendment that were  
4 deposited into the Macon County Road and Bridge Fund prior to  
5 the financing of the new county jail and were not pledged for  
6 the county jail, may be used by the Macon County Commission  
7 for roads and bridges.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 PROPOSED AMENDMENT

14 Amendment 530 to the Constitution of Alabama of  
15 1901, now appearing as Section 4, Local Amendments, Macon  
16 County, Official Recompile of the Constitution of Alabama  
17 of 1901, as amended, is amended to read as follows:

18 "Amendment 530.

19 "(a) In addition to any court costs and fees now or  
20 hereafter authorized to be collected, the county commission of  
21 Macon ~~county~~ County is authorized to assess a fee not to  
22 exceed \$30.00 upon the privilege of filing any initial  
23 complaint in all civil and criminal cases filed in any court,  
24 in the county, as well as a fee not to exceed \$5.00 for the  
25 service of all pleadings and other documents in connection  
26 with any such action. All such fees shall be paid into the  
27 general fund and shall be applied exclusively for payment of

1 the cost of the planning, construction, and equipping of a new  
2 county jail, or for the payment of the principal of and  
3 interest on any bonds, warrants, or other obligations issued  
4 by or on behalf of the county to finance the costs of a new  
5 jail, as well as the expenses of issuance of any such bonds,  
6 warrants, or other obligations. When the ~~aforesaid~~ costs of  
7 planning, constructing, and equipping a new county jail shall  
8 be fully paid or when all such bonds, warrants, or other  
9 obligations have been retired, whichever last occurs, the  
10 additional fee authorized by this amendment to be collected  
11 shall no longer be collected. Provided, however, no additional  
12 fee provided herein shall be collected until 30 days after the  
13 county commission has signed a contract ~~and~~ or contracts for  
14 the construction of a new jail and construction has actually  
15 begun.

16 "(b) Any court costs and fees collected pursuant to  
17 this amendment that were deposited into the Macon County Road  
18 and Bridge Fund prior to the financing of the new county jail  
19 and were not pledged for the county jail, may be used by the  
20 Macon County Commission for roads and bridges."

21 Section 2. An election upon the proposed amendment  
22 shall be held in accordance with Amendment 555 to the  
23 Constitution of Alabama of 1901, now appearing as Section  
24 284.01 of the Official ReCompilation of the Constitution of  
25 Alabama of 1901, as amended, and the election laws of this  
26 state.

1           Section 3. The appropriate election official shall  
2       assign a ballot number for the proposed constitutional  
3       amendment on the election ballot and shall set forth the  
4       following description of the substance or subject matter of  
5       the proposed constitutional amendment:

6           "Relating to Macon County, proposing an amendment to  
7       Amendment 530 to the Constitution of Alabama of 1901, to  
8       further provide for any court costs and fees collected  
9       pursuant to this amendment that were deposited into the Macon  
10      County Road and Bridge Fund prior to the financing of the new  
11      county jail and were not pledged for the county jail, may be  
12      used by the Macon County Commission for roads and bridges.

13           "Proposed by Act \_\_\_\_\_."

14           This description shall be followed by the following  
15      language:

16           "Yes ( ) No ( )."