

1 HB590
2 127407-2
3 By Representatives Brown, Wood, Boyd and Hurst (N & P)
4 RFD: Local Legislation
5 First Read: 03-MAY-11

A BILL
TO BE ENTITLED
AN ACT

Relating to Calhoun County in the 7th Judicial Circuit; providing an additional court cost in domestic violence cases and drug possession cases, to include possession of controlled substances, possession of marijuana, first and second degree, trafficking of controlled substances and possession of drug paraphernalia, and all traffic cases in the circuit, district, and municipal courts; and providing for the distribution of the proceeds of the court costs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) In addition to all other costs and charges in circuit, district, and municipal court cases in Calhoun County in the 7th Judicial Circuit, there shall be levied and assessed the following court costs:

(1) Forty dollars (\$40) in all domestic violence cases, violation of protection from abuse cases, stalking

1 cases, or any other case which is determined by the judge to
2 be a domestic violence case.

3 (2) Forty dollars (\$40) in all drug possession
4 cases, to include possession of controlled substances, attempt
5 to commit a controlled substance crime distribution of
6 controlled substances, possession of marijuana first and
7 second degree, trafficking of controlled substances and
8 possession of drug paraphernalia or any other case which is
9 determined by the judge to be a drug possession case.

10 (3) Twelve dollars (\$12) in all traffic cases.

11 (b) Unless remitted by the court, upon the
12 conviction or dismissal, the clerk of the court in which the
13 case originates shall collect the court costs. The clerk shall
14 retain two dollars (\$2) in each of the court costs listed
15 above as an administrative cost. The remaining proceeds shall
16 be collected and maintained by the clerk of court and remitted
17 quarterly to the Calhoun County Commission, which shall place
18 the monies in a designated account in the county treasury
19 earmarked for the Calhoun County Family and Juvenile Drug
20 Court, Calhoun County Success Academy, and the Calhoun County
21 Adult Felony Drug Court. A committee composed of the presiding
22 judge of the Juvenile Drug Court, the Dependency Drug Court,
23 and the Felony Adult Drug Court shall determine the division
24 of the proceeds between the agencies enumerated in this
25 subsection to be appropriated by the county commission. The
26 committee shall annually submit a budget to the county
27 commission for appropriation in the next fiscal year.

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