

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

1 ENGROSSED

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
7

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

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

21 (1) Forty dollars (\$40) in all domestic violence  
22 cases, violation of protection from abuse cases, stalking  
23 cases, or any other case which is determined by the judge to  
24 be a domestic violence case.

25 (2) Forty dollars (\$40) in all drug possession  
26 cases, to include possession of controlled substances, attempt  
27 to commit a controlled substance crime distribution of

1 controlled substances, possession of marijuana first and  
2 second degree, trafficking of controlled substances and  
3 possession of drug paraphernalia or any other case which is  
4 determined by the judge to be a drug possession case.

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

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

1 determine the division of the proceeds between agencies  
2 enumerated in this subsection, with priority given to the  
3 programs with greater number of participants. The committee  
4 shall annually submit a budget to the county commission for  
5 appropriation in the next fiscal year.

6           Section 2. This act shall become effective  
7 immediately following its passage and approval by the  
8 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 Local Legisla-  
tion..... . . . . 03-MAY-11

Read for the second time and placed  
on the calendar 1 amendment ..... . . . . 04-MAY-11

Read for the third time and passed  
as amended..... . . . . 05-MAY-11

Yeas 44, Nays 0, Abstains 33

Greg Pappas  
Clerk