

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

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2 ENROLLED, An Act,

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

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

20 (2) Forty dollars (\$40) in all drug possession
21 cases, to include possession of controlled substances, attempt
22 to commit a controlled substance crime distribution of
23 controlled substances, possession of marijuana first and
24 second degree, trafficking of controlled substances and

1 possession of drug paraphernalia or any other case which is
2 determined by the judge to be a drug possession case.

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

4 (b) Unless remitted by the court, upon the
5 conviction or dismissal, the clerk of the court in which the
6 case originates shall collect the court costs. The clerk shall
7 retain two dollars (\$2) in each of the court costs listed
8 above as an administrative cost. The remaining proceeds shall
9 be collected and maintained by the clerk of court and remitted
10 quarterly to the Calhoun County Commission, which shall place
11 the monies in a designated account in the county treasury
12 ~~earmarked for the Calhoun County Family and Juvenile Drug~~
13 ~~Court, Calhoun County Success Academy, and the Calhoun County~~
14 ~~Adult Felony Drug Court. A committee composed of the presiding~~
15 ~~judge of the Juvenile Drug Court, the Dependency Drug Court,~~
16 ~~and the Felony Adult Drug Court shall determine the division~~
17 ~~of the proceeds between the agencies enumerated in this~~
18 ~~subsection to be appropriated by the county commission. The~~
19 ~~committee shall annually submit a budget to the county~~
20 ~~commission for appropriation in the next fiscal year.~~
21 earmarked for the Calhoun County Dependency Drug Court, the
22 Calhoun County Juvenile Drug Court, and the Calhoun County
23 Adult Felony Drug Court. A committee composed of the Judge
24 over the Calhoun County Dependency Drug Court and the Judge
25 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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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 05-MAY-11, as amended.

Greg Pappas
Clerk

Senate

25-MAY-11

Passed