

1 HB86
2 135736-1
3 By Representative Beckman
4 RFD: Judiciary
5 First Read: 07-FEB-12
6 PFD: 01/23/2012

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8 SYNOPSIS: Under existing law, fees are assessed as
9 costs for certain court proceedings.

10 This bill would impose a tax on court
11 filings.
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13 A BILL
14 TO BE ENTITLED
15 AN ACT
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17 To amend Section 12-19-49 of the Code of Alabama
18 1975, to impose a tax on court filing fees as costs.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 12-19-49 of the Code of Alabama
21 1975, is amended to read as follows:

22 "§12-19-49.

23 "(a) Prepaid fees shall be assessed as additional
24 costs of the proceedings when costs are assessed against the
25 defendant.

1 "(b) A plaintiff may have execution against a
2 defendant for prepaid fees assessed as costs against a
3 defendant by a final judgment.

4 "(c) Execution may be had against a plaintiff when
5 execution against a defendant for unpaid fees results in a
6 sheriff's return indicating "no property found."

7 "(d) Any fee required for filing a pleading or paper
8 payable to the clerk of the court at the time of filing,
9 including administrative cost or electronic draft, shall be
10 taxable."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.