

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

1 135736-1:n:01/19/2012:LCG/tan LRS2012-184

2

3

4

5

6

7

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.

12  
13 A BILL

14 TO BE ENTITLED

15 AN ACT

16  
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.