

1 HB480  
2 147220-1  
3 By Representative Hill (N & P)  
4 RFD: Shelby County Legislation  
5 First Read: 20-MAR-13

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Shelby County; to further amend Section  
14 7 of Act 248, of the 1975 Regular Session (Acts 1975, p. 778),  
15 as last amended by Act 2010-530, 2010 Regular Session (Acts  
16 2010, p. 890), relating to the office of the judge of probate  
17 and providing for a special recording fee on real property and  
18 personal property instruments, so as to further provide for  
19 the fee and distribution of the additional fee.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 7 of Act 248 of the 1975 Regular  
22 Session (Acts 1975, p. 778), as last amended by Act 2010-530,  
23 2010 Regular Session (Acts 2010, p. 890), is further amended  
24 to read as follows:

25 "Section 7. Special Recording Fees. A special index  
26 fee of eight dollars (\$8) shall be paid to the county, and  
27 collected by the judge of probate with respect to each real

1 property instrument and each personal property instrument  
2 filed for record in the office of the judge of probate and for  
3 the recording of other instruments and documents in the  
4 probate office in the discretion of the governing body of the  
5 county. No instrument shall be recorded in the office of the  
6 judge of probate unless the special index fee of eight dollars  
7 (\$8) is paid. The special index fee shall be in addition to  
8 all other fees, taxes, and other charges required by law for  
9 recording any real property instrument or personal property  
10 instrument, and for the recording of other instruments and  
11 documents in the office of the judge of probate in the  
12 discretion of the governing body of the county. All special  
13 index fees collected shall be deposited into the county  
14 treasury and credited to the account of a special fund to be  
15 expended as follows:

16 "(1) Of the fee collected, four dollars (\$4) shall  
17 be designated for payment of initial installation costs and  
18 the cost as needed of additional equipment that may be added  
19 to the probate office from time to time.

20 "(2) Of the fee collected, two dollars (\$2) shall be  
21 designated for the operating expenses of the Shelby County  
22 Constituents' Office. The fund shall be managed by the chair  
23 of the Shelby County Legislative Delegation Office.

24 "(3) Of the fees collected, two dollars (\$2) shall  
25 be designated for the operation of mental health programs  
26 serving the county to be administered by the judge of probate  
27 in his or her sole discretion.

1                "Any sums deposited or collected in excess those  
2        needed to implement this act, in the sole discretion of the  
3        judge of probate, may be expended for the operations of the  
4        office of the judge of probate."

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