

1 HB510
2 148510-1
3 By Representative Vance (N & P)
4 RFD: Local Legislation
5 First Read: 02-APR-13

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Russell County; to amend Act 2006-360 of
14 the 2006 Regular Session (Acts 2006, p. 954), providing for a
15 recording fee on documents filed for record with the judge of
16 probate; to further provide for the fees to be deposited into
17 an account in a bank or other financial institution doing
18 business in the county.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 1 of Act 2006-360 of the 2006
21 Regular Session (Acts 2006, p. 954), is amended to read as
22 follows:

23 "Section 1. Pursuant to the authority granted by
24 Amendment 380 of the Constitution of Alabama of 1901, now
25 appearing as Section 6, Local Amendments, Russell County,
26 Official Recompile of the Constitution of Alabama of 1901,
27 as amended, and subsection (d) of Section 12-19-90, Code of

1 Alabama 1975, in Russell County, a recording fee of five
2 dollars (\$5) shall be paid to the county and collected by the
3 judge of probate, with respect to each instrument that may be
4 filed for record in the office of the judge of probate and for
5 each marriage license issued. No instrument shall be received
6 for record in the office of the judge of probate, and no
7 marriage license shall be issued, unless the recording fee of
8 five dollars (\$5) is paid. The recording fee shall be in
9 addition to all other fees, taxes, and other charges required
10 by law to be paid upon the filing for record of any instrument
11 in the probate office or for issuing any marriage license. All
12 recording fees so collected shall be deposited by the judge of
13 probate in an account in a bank or other financial institution
14 doing business in Russell County, which account shall be
15 maintained and managed by the judge of probate and accumulated
16 for the purpose of modernizing the records and record keeping
17 of the probate office, and spent at the discretion of the
18 judge of probate. The recording fees collected are not to be
19 used to offset the cost to the county general fund for the
20 general operation of the probate office unless the judge of
21 probate, at his or her sole discretion, declares the funds, or
22 some portion thereof, to be in excess of the amounts needed
23 for the purpose of modernization."

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