

1 SJR122
2 131201-2
3 By Senator Orr
4 RFD:
5 First Read: 05-MAY-11

1 SJR122

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4 ENROLLED, SJR122,

5 URGING THE UNITED STATES CONGRESS TO APPROVE H.R.
6 1416 AND S. 755, THE CRIME VICTIM RESTITUTION AND COURT FEE
7 INTERCEPT ACT.
8

9 WHEREAS, the courts of this state order the payment
10 of restitution to victims of crime as well as the payment of
11 court fines and fees at the conclusion of criminal matters;
12 and

13 WHEREAS, victims of crime are due these monies to
14 help compensate them for the wrong which has been visited upon
15 them by the perpetrator, and the state is due these monies to
16 offset the costs of ensuring "[t]hat all courts shall be open"
17 as required by the Constitution of Alabama of 1901; and

18 WHEREAS, unpaid restitutions and court fines and
19 fees have been and continue to be a problem in this state,
20 with currently over \$551 million being due the State of
21 Alabama in unpaid court-imposed fines and fees; and

22 WHEREAS, the Legislature by Act 2004-505, now
23 codified as Section 40-18-100, et seq., Code of Alabama 1975,
24 enabled the Alabama Department of Revenue to collect unpaid

1 court fines and fees by use of a setoff of the state income
2 tax refund of a debtor; and

3 WHEREAS, since the enactment of Act 2004-505, over
4 \$13.3 million have been collected in unpaid court costs and
5 fines by the Alabama Department of Revenue; and

6 WHEREAS, the Crime Victim Restitution and Court Fee
7 Intercept Act will enable the United States Treasury to offset
8 restitution and other state judicial debts against an
9 individual's federal income tax refund in a similar manner as
10 the Alabama Department of Revenue is permitted to do so
11 pursuant to Act 2004-505; and

12 WHEREAS, the enactment of this legislation will
13 enable victims of crime to receive the restitution due them as
14 well as for states to collect unpaid court fines and fees; now
15 therefore,

16 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
17 HOUSES THEREOF CONCURRING, That we hereby urge the United
18 States Congress to approve H.R. 1416 and S. 755, the Crime
19 Victim Restitution and Court Fee Intercept Act, with all due
20 haste.

21 BE IT FURTHER RESOLVED, That a copy of this
22 resolution will be provided to each member of Alabama's
23 Congressional Delegation.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SJR122

Senate 05-MAY-11

I hereby certify that the within Senate Joint Resolution
originated in and was adopted by the Senate.

Patrick Harris
Secretary

House of Representatives
Adopted: 24-MAY-11

By: Senator Orr