

1 SJR74
2 218496-1
3 By Senator Waggoner
4 RFD:
5 First Read: 09-MAR-22

8 CREATING THE ALABAMA MUNICIPAL FEES AND FINES STUDY
9 TASK FORCE.

10
11 WHEREAS, municipal law enforcement agencies and
12 municipal courts enforce and impose costs, fees, and fines for
13 violations of state laws and municipal ordinances; and

14 WHEREAS, there is a need to strike a balance between
15 Alabama's municipal governing bodies enforcing duly adopted
16 laws and municipal ordinances and the public's competing, yet
17 fundamental, interest in nondiscriminatory and fair
18 administration of these laws and ordinances; now therefore,

19 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
20 HOUSES THEREOF CONCURRING, That the Alabama Municipal Fees and
21 Fines Study Task Force is created.

22 (a) The task force shall have all of the following
23 duties:

24 (1) To study current Alabama statutory law and case
25 law relating to municipal authority for imposing and enforcing
26 costs, fees, and fines for state and municipal ordinance
27 violations.

(2) To determine what, if any, changes need to be made to Alabama law relating to municipal costs, fees, and fines in order to ensure the enforcement and imposition of municipal costs, fees, and fines is fairly administered.

(b) The task force shall be composed of the following members:

(1) One member appointed by the Governor.

(2) One member appointed by the Chief Justice of the Alabama Supreme Court.

(3) One member appointed by the Lieutenant Governor.

(4) One member of the Senate appointed by the President Pro Tempore of the Senate.

(5) One member of the House of Representatives
by the Speaker of the House of Representatives.

(6) The Chair of the Senate Judiciary Committee, or his or her designee.

(7) The Chair of the House Judiciary Committee, or his or her designee.

(8) The following members, appointed by the Board of Directors of the Alabama League of Municipalities:

a. A municipal judge who is a member of the Alabama Municipal Judges Association.

b. A municipal prosecutor.

c. A municipal police chief

d. A municipal court clerk m

(9) A representative of the Alabama Law Institute, who shall serve as chair of the task force and be charged with reporting the findings of the task force.

(c) All appointing authorities shall coordinate their appointments to assure that the task force membership is inclusive and reflects the racial, gender, geographic, urban, rural, and economic diversity of the state.

(d) The task force shall hold its organizational meeting within 60 days after the passage of this resolution at a time and place designated by the chair.

(e) (1) Legislative members of the task force shall be entitled to their legislative compensation, per diem, and travel expenses for each day they attend a meeting of the task force in accordance with Amendment 871 of the Constitution of 1901, now appearing as Section 49.01 of the Official Recompilation of the Constitution of Alabama of 1901. These payments shall be paid out of funds appropriated to the use of the Legislature by means of warrants drawn by the Comptroller on the State Treasury.

(2) Non-legislative members of the task force shall serve without compensation, but may be reimbursed for expenses related to attending meetings consistent with the policies of the various appointing authorities.

(f) The Legislative Services Agency, the Clerk of the House of Representatives, and the Secretary of the Senate shall provide administrative and other assistance for the work of the task force as necessary.

(g) The task force shall prepare and submit a report of its findings, conclusions, and recommendations for legislative action to the Legislature no later than the third legislative day of the 2023 Regular Session. Upon submitting its report to the Legislature, the task force shall be dissolved and discharged of any further duties and liabilities.

(h) A copy of this resolution shall be provided to each of the appointing authorities of the task force.