

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

CREATING THE ALABAMA MUNICIPAL FEES AND FINES STUDY
TASK FORCE.

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

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

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

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

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

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

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

7 (1) One member appointed by the Governor.

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

10 (3) One member appointed by the Lieutenant Governor.

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

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

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

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

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

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

23 b. A municipal prosecutor.

24 c. A municipal police chief.

25 d. A municipal court clerk magistrate.

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

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

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

11 (e) (1) Legislative members of the task force shall
12 be entitled to their legislative compensation, per diem, and
13 travel expenses for each day they attend a meeting of the task
14 force in accordance with Amendment 871 of the Constitution of
15 1901, now appearing as Section 49.01 of the Official
16 Recompilation of the Constitution of Alabama of 1901. These
17 payments shall be paid out of funds appropriated to the use of
18 the Legislature by means of warrants drawn by the Comptroller
19 on the State Treasury.

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

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

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

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