

HB472 INTRODUCED



1 5RGW63-1
2 By Representative Gray
3 RFD: Judiciary
4 First Read: 16-May-23
5 2023 Regular Session



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4 SYNOPSIS:

5 Under existing law, courts are required or
6 authorized to impose fines, fees, and court costs in
7 criminal cases.

8 This bill would eliminate fines, fees, and court
9 costs in juvenile court and discharge outstanding
10 fines, fees, and court costs previously ordered by a
11 juvenile court.

12 Also under existing law, the juvenile court is
13 required to order a parent, legal guardian, or legal
14 custodian with resources to pay child support when a
15 child is placed in the legal custody of the department,
16 agency, organization, entity, or person.

17 This bill would eliminate this child support
18 obligation.

19 This bill would also make nonsubstantive,
20 technical revisions to update the existing code
21 language to current style.

22
23

24 A BILL

25 TO BE ENTITLED

26 AN ACT

27
28 Relating to juvenile court; to amend Sections

HB472 INTRODUCED



29 12-15-110, 12-15-117, 12-15-203, 12-15-204, 12-15-215,
30 12-19-171, 12-19-181, 12-19-182, 12-19-311, 12-23-7, 12-23-12,
31 12-23-13, 13A-5-2, 13A-5-11, 13A-5-12, and 15-23-17, Code of
32 Alabama 1975, to eliminate fines, fees, and court costs in
33 juvenile court and to discharge outstanding fines, fees, and
34 court costs previously ordered by a juvenile court; to
35 eliminate the requirement for certain parents, legal
36 guardians, or legal custodians to pay child support when a
37 child is placed in the legal custody of the department,
38 agency, organization, entity, or person; to repeal Section
39 12-15-109, Code of Alabama 1975, relating to court orders for
40 maintenance and care of children; and to make nonsubstantive,
41 technical revisions to update the existing code language to
42 current style.

43 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

44 Section 1. Sections 12-15-110, 12-15-117, 12-15-203,
45 12-15-204, 12-15-215, 12-19-171, 12-19-181, 12-19-182,
46 12-19-311, 12-23-7, 12-23-12, 12-23-13, 13A-5-2, 13A-5-11,
47 13A-5-12, and 15-23-17, Code of Alabama 1975, are amended to
48 read as follows:

49 "§12-15-110

50 (a) Subject to ~~the~~ laws relating to the ~~procedures~~
51 ~~therefor and the limitations thereon~~juvenile court and the
52 rules of juvenile procedure, the juvenile court may punish a
53 person for contempt of court for disobeying an order of the
54 juvenile court or for obstructing or interfering with the
55 proceedings of the juvenile court or the enforcement of its
56 orders, except as provided in subsections (b) and (d).



(b) Notwithstanding the provisions of subsection (a),

~~The~~ juvenile court shall be limited in the actions it may take with respect to a child violating the terms and conditions of the order of protective supervision as this term is defined in ~~subdivision (5) of~~ Section 12-15-301 (11), to those which the juvenile court could have taken at the time of the original disposition of the juvenile court pursuant to ~~subsection (a) of~~ Section 12-15-314 (a).

(c) A finding of indirect contempt not based on a delinquency petition does not constitute an adjudication of delinquency.

(d) The juvenile court shall not punish a person for contempt of court under subsection (a) for failure to obey an order of restitution."

"§12-15-117

(a) Once a child has been adjudicated dependent, delinquent, or in need of supervision, jurisdiction of the juvenile court shall terminate when the child becomes 21 years of age unless, prior theretofore to the child becoming 21 years of age, the judge of the juvenile court terminates its jurisdiction by explicitly stating in a written order that it is terminating jurisdiction over the case involving the child. Nothing in this section is intended to affect the initial and continuing jurisdiction of juvenile courts over cases other than delinquency, dependency, or in need of supervision cases as provided in Sections 12-15-114, 12-15-115, 12-15-116, or any other statute by which jurisdiction was initially lawfully invoked.



85 (b) The jurisdiction of the juvenile court shall
86 terminate when the child is convicted or adjudicated a
87 youthful offender as provided in Section 12-15-203(i) and
88 Section 12-15-204(b). If a person already under the
89 jurisdiction of the juvenile court is convicted or adjudicated
90 a youthful offender in a criminal court of a crime committed
91 at ~~the age of~~ 18 years of age or older, the conviction or
92 adjudication shall terminate the jurisdiction of the juvenile
93 court.

94 (c) In any case over which the juvenile court has
95 jurisdiction, the juvenile court shall retain jurisdiction
96 over an individual of any age to enforce or modify any prior
97 orders of the juvenile court unless otherwise provided by law.
98 The juvenile court ~~and also~~ shall not retain jurisdiction
99 solely for the enforcement or modification of any prior orders
100 of the juvenile court requiring the payment of fines, court
101 costs, restitution, or other money ordered by the juvenile
102 court ~~until paid in full~~.

103 (d) For purposes of enforcing any order of the juvenile
104 court requiring the payment of fines, court costs,
105 restitution, or other money ordered by the juvenile court, the
106 remedies with regard to punishment for contempt, including
107 incarceration in jail of individuals 18 years of age or older,
108 shall be available to the juvenile court."

109 "§12-15-203

110 (a) A prosecutor, before a hearing on a delinquency
111 petition on its merits and after notifying, verbally or in
112 writing, the juvenile probation officer, may file a motion



113 requesting the juvenile court judge to transfer a child for
114 criminal prosecution to the circuit or district court, if the
115 child was 14 ~~or more~~ years of age or older at the time of the
116 conduct charged and is alleged to have committed an act which
117 would constitute a criminal offense as defined by this code if
118 committed by an adult.

119 (b) The juvenile court judge shall conduct a hearing on
120 all motions for the purpose of determining whether it is in
121 the best interests of the child or the public to grant the
122 motion. Only if there are no reasonable grounds to believe the
123 child ~~is committable~~ meets the criteria for commitment to an
124 institution, department, or agency for individuals with an
125 intellectual disability or mental illness, may the juvenile
126 court judge order the case transferred for criminal
127 prosecution.

128 (c) When there are grounds to believe that the child ~~is~~
129 ~~committable~~ meets the criteria for commitment to an
130 institution, department, or agency for individuals with an
131 intellectual disability or mental illness, the juvenile court
132 judge shall order an examination pursuant to Section
133 12-15-130.

134 (d) Evidence of the following and other relevant
135 factors shall be considered in determining whether the motion
136 shall be granted:

- 137 (1) The nature of the present alleged offense.
- 138 (2) The extent and nature of the prior delinquency
139 record of the child.
- 140 (3) The nature of past treatment efforts and the nature



141 of the response of the child to the efforts.

142 (4) Demeanor.

143 (5) The extent and nature of the physical and mental
144 maturity of the child.

145 (6) The interests of the community and of the child
146 requiring that the child be placed under legal restraint or
147 discipline.

148 (e) Prior to a hearing on the motion by the prosecutor,
149 a written study and report to the juvenile court judge,
150 relevant to the factors listed in subsection (d), shall be
151 made by a juvenile probation officer.

152 (f) When a child is transferred for criminal
153 prosecution, the juvenile court judge shall set forth in
154 writing his or her reasons for granting the motion, which
155 shall include a finding of probable cause for believing that
156 the allegations are true and correct.

157 (g) The finding of probable cause by the juvenile court
158 judge shall preclude the necessity for a preliminary hearing
159 subsequent to the transfer of the case for criminal
160 prosecution, and the court having jurisdiction of the offense
161 or offenses charged may exercise any authority over the case
162 and the child, subsequent to the transfer, which is otherwise
163 applicable to cases involving adult offenders pursuant to
164 provisions of laws or rules of procedure adopted by the
165 Supreme Court of Alabama.

166 (h) A child who is transferred to a court for criminal
167 prosecution shall be tried as an adult for the offense charged
168 and all lesser included offenses of the offense charged.



169 (i) (1) A conviction or adjudication as a youthful
170 offender of a child of a criminal offense, with the exception
171 of a nonfelony traffic offense, shall terminate the
172 jurisdiction of the juvenile court over that child with
173 respect to any future delinquent acts and with respect to any
174 pending allegations of delinquency which have not been
175 disposed of by the juvenile court at the time of the criminal
176 conviction or adjudication as a youthful offender. Any pending
177 or future criminal acts committed by the child shall be
178 prosecuted as other criminal charges are prosecuted.

179 (2) Termination of the jurisdiction of the juvenile
180 court over the child with respect to future criminal charges
181 and pending allegations of delinquency, as provided ~~hereinby~~
182 this section, shall not affect the jurisdiction of the
183 juvenile court over the child with respect to any other matter
184 provided in this chapter, specifically including any prior
185 allegations of delinquency which, at the time of the criminal
186 conviction, has been disposed of by the juvenile court either
187 through informal adjustment, consent decree, or adjudication.

188 (3) The juvenile court is specifically authorized, to
189 the extent practicable, to continue exercising its
190 jurisdiction over the child with respect to ~~such~~any
191 previously disposed delinquency cases after the termination of
192 its jurisdiction with respect to other criminal charges,
193 ~~including jurisdiction to enforce its order requiring the~~
194 ~~payment of fines, costs, restitution, or other money ordered~~
195 ~~by the juvenile court pursuant to Section 12-15-117.~~"

196 "§12-15-204



197 (a) Notwithstanding any other provision of law, any
198 person who has attained ~~the age of~~ 16 years of age at the time
199 of the conduct charged and who is charged with the commission
200 of any act or conduct, which if committed by an adult would
201 constitute any of the following, shall not be subject to the
202 jurisdiction of juvenile court but shall be charged, arrested,
203 and tried as an adult:

204 (1) A capital offense.

205 (2) A Class A felony.

206 (3) A felony which has as an element thereof of the use
207 of a deadly weapon.

208 (4) A felony which has as an element ~~thereof~~of the
209 causing of death or serious physical injury.

210 (5) A felony which has as an element thereof of the use
211 of a dangerous instrument against any person who is one of the
212 following:

213 a. A law enforcement officer or official.

b. A correctional officer or official.

215 c. A parole or probation officer or official.

216 d. A juvenile court probation officer or official.

217 e. A district attorney or other prosecuting officer or
218 official.

219 f. A judge or judicial official.

220 g. A court officer or official.

221 h. A person who is a grand juror, juror, or witness in
222 any legal proceeding of whatever nature when the offense stems
223 from, is caused by, or is related to the role of the person as
224 a juror, grand juror, or witness.



225 i. A teacher, principal, or employee of the public
226 education system of Alabama.

227 (6) Trafficking in drugs in violation of Section
228 13A-12-231, or as the same may be amended.

229 (7) Any lesser included offense of the above offenses
230 charged or any lesser felony offense charged arising from the
231 same facts and circumstances and committed at the same time as
232 the offenses listed above. Provided, however, except that the
233 juvenile court shall maintain original jurisdiction over these
234 lesser included offenses if the grand jury fails to indict for
235 any of the offenses enumerated in subsections subdivisions
236 ~~(a)~~ (1) ~~to (a) through~~ (6), inclusive. The juvenile court shall
237 also maintain original jurisdiction over these lesser included
238 offenses, subject to double jeopardy limitations, if the court
239 handling criminal offenses dismisses all charges for offenses
240 enumerated in subsections subdivisions ~~(a)~~ (1) ~~to (a) through~~
241 (6), inclusive.

242 (b) Notwithstanding any other provision of law, any
243 person who has been convicted or adjudicated a youthful
244 offender in a court handling criminal offenses pursuant to ~~the~~
245 ~~provisions of~~ this section shall not ~~hereafter~~ be subject to
246 the jurisdiction of juvenile court for any pending or
247 subsequent offense. Provided, however, pursuant to Section
248 ~~12-15-117, the juvenile court shall retain jurisdiction over~~
249 ~~an individual of any age for the enforcement of any prior~~
250 ~~orders of the juvenile court requiring the payment of fines,~~
251 ~~court costs, restitution, or other money ordered by the~~
252 ~~juvenile court until paid in full.~~



253 (c) This section shall apply to all cases in which the
254 alleged criminal conduct occurred after April 14, 1994. All
255 conduct occurring before April 14, 1994, shall be governed by
256 pre-existing law."

257 "§12-15-215

258 (a) If the juvenile court finds on proof beyond a
259 reasonable doubt, based upon competent, material, and relevant
260 evidence, that a child committed the acts by reason of which
261 the child is alleged to be delinquent or in need of
262 supervision, ~~it~~ the court may proceed immediately to hear
263 evidence as to whether the child is in need of care or
264 rehabilitation and ~~to~~ file its findings ~~thereon~~. In the
265 absence of evidence to the contrary, a finding that the child
266 has committed ~~an act which constitutes~~ a felony is sufficient
267 to sustain a finding that the child is in need of care or
268 rehabilitation. ~~If the juvenile court finds that the child is~~
269 ~~not in need of care or rehabilitation, it shall dismiss the~~
270 ~~proceedings and discharge the child from any detention or~~
271 ~~other temporary care theretofore ordered.~~

272 **(b) If the juvenile court finds that the child is not**
273 **in need of care or rehabilitation, the court shall dismiss the**
274 **proceedings and discharge the child from any detention or**
275 **other temporary care previously ordered.**

276 (c) If the juvenile court finds that the child is in
277 need of care or rehabilitation, ~~it~~the court may ~~make~~order
278 any of the following ~~orders or dispositions~~, subject to the
279 limitations and prohibitions on secure custody contained in
280 Section 12-15-208:



281 (1) ~~Permit the~~ The child ~~to~~ remain with the parent,
282 legal guardian, or other legal custodian of the child, subject
283 to the conditions and limitations prescribed by the juvenile
284 court ~~may prescribe~~.

285 (2) ~~Place the~~ The child be placed on probation pursuant
286 to conditions and limitations prescribed by the juvenile court
287 ~~may prescribe~~.

288 (3) ~~Transfer legal~~ Legal and physical custody ~~to be~~
289 transferred to any of the following:

290 a. The Department of Youth Services, with or without an
291 order to a specific institution.

292 b. In the case of a child in need of supervision, the

293 Department of Youth Services, or the Department of Human
294 Resources; provided however 1. that prior to any transfer of
295 custody to the Department of Human Resources, the case shall
296 first be referred to the county children's services
297 facilitation team, which must proceed according to Article 5;
298 and 2. that the child's commission of one or more status
299 offenses shall not constitute a sufficient basis for transfer
300 of legal or physical custody to the Department of Human
301 Resources. Upon referral to the county children's services
302 facilitation team, the juvenile probation officer shall
303 continue to provide case management to the status offender
304 unless the county children's services facilitation team
305 appoints another person to act as case manager. The juvenile
306 probation officer shall participate in county children's
307 services facilitation team meetings and share records
308 information and reports on the status offender with the count



309 ~~children's services facilitation team. When the juvenile court~~
310 ~~transfers legal and physical custody to the Department of~~
311 ~~Human Resources, all requirements which shall be met for a~~
312 ~~child to be eligible for federal funding shall apply,~~
313 ~~including, but not limited to, the requirements set out in~~
314 ~~Sections 12-15-312, 12-15-315, and 12-15-317. The child's~~
315 ~~commission of one or more status offenses shall not constitute~~
316 ~~a sufficient basis for transfer of legal or physical custody~~
317 ~~to the Department of Human Resources.~~

318 1. Prior to any transfer of custody to the Department
319 of Human Resources, the case shall first be referred to the
320 county children's services facilitation team, which must
321 proceed according to Article 5.

322 2. Upon referral to the county children's services
323 facilitation team pursuant to subparagraph 1., the juvenile
324 probation officer shall continue to provide case management to
325 the status offender unless the county children's services
326 facilitation team appoints another person to act as case
327 manager.

328 3. The juvenile probation officer shall participate in
329 county children's services facilitation team meetings and
330 share records, information, and reports on the status offender
331 with the county children's services facilitation team.

332 c. A local, public, or private agency, organization, or
333 facility that is licensed or otherwise authorized by law to
334 receive and provide care for children and willing and able to
335 assume the education, care, and maintenance of the child~~and~~
336 ~~which is licensed or otherwise authorized by law to receive~~



337 ~~and provide care for children.~~

338 d. ~~During the term of supervision, a~~ A relative or
339 other individual who is found by the juvenile court to be
340 qualified to receive and care for the child during the term of
341 supervision.

342 (4) The parent, legal guardian, or legal custodian of
343 the child perform reasonable acts as are deemed necessary to
344 promote the best interests of the child.

345 (5) ~~Make any~~ Any other order ~~as~~ the juvenile court ~~in~~
346 ~~its discretion shall deem~~ determines to be appropriate for the
347 welfare and best interests of the child, including random drug
348 ~~screens, assessment of fines not to exceed two hundred fifty~~
349 ~~dollars (\$250), and restitution against the parent, legal~~
350 ~~guardian, legal custodian, or child, as the juvenile court~~
351 ~~deems appropriate~~ screening. Costs for juvenile court-ordered
352 drug screening may be ordered paid for by the state out of
353 ~~moneys~~ monies appropriated as "court costs not otherwise
354 provided for." ~~Restitution against the parent, legal guardian,~~
355 ~~legal custodian, or child shall be governed by the same~~
356 ~~principles applicable in the Restitution to Victims of Crime~~
357 ~~Act, commencing with Section 15-18-65.~~

358 (5) ~~Direct the parent, legal guardian, or legal~~
359 ~~custodian of the child to perform reasonable acts as are~~
360 ~~deemed necessary to promote the best interests of the child.~~

361 (6) (d) In any case where a child is adjudicated
362 delinquent for possessing a pistol, short-barreled rifle, or
363 short-barreled shotgun, any pistol, short-barreled rifle, or
364 short-barreled shotgun possessed by that child is forfeited



365 and shall be ordered to be destroyed by the juvenile court.

366 (e) When the juvenile court transfers legal and
367 physical custody to the Department of Human Resources as
368 provided by paragraph (c) (3)b., all requirements that shall be
369 met for a child to be eligible for federal funding shall
370 apply, including, but not limited to, the requirements set out
371 in Sections 12-15-312, 12-15-315, and 12-15-317.

372 ~~(b)~~ (f) No child by virtue of a disposition pursuant to
373 this section shall be committed or transferred to a penal
374 institution or other facility used for the execution of
375 sentences of persons convicted of a crime.

376 ~~(e)~~ (g) No child in need of supervision, unless also a
377 delinquent child, shall be ordered to be placed in an
378 institution or facility established for the care and
379 rehabilitation of delinquent children unless the juvenile
380 probation officer submits a written recommendation and the
381 juvenile court finds upon a further hearing that the child is
382 not amenable to treatment or rehabilitation pursuant to any
383 prior disposition. In determining if a child is not amenable
384 to treatment or rehabilitation, the juvenile court shall
385 consider evidence of the following and other relevant factors, which shall be included in the written recommendations of the juvenile probation officer:

388 (1) Prior treatment efforts, ~~such as~~ including, but not
389 limited to ~~+,~~ any mental health counseling, individualized
390 service plans, individualized education plans, and other
391 education records.

392 ~~a. Mental health counseling, if any.~~



393 b. Individualized educational plans, if any.

394 c. Other educational records.

395 d. Individualized service plans, if any.

396 (2) The age of the child.

397 (3) The history of the ~~child being involved~~ child's

398 involvement with the juvenile court, including, but not

399 limited to, informal adjustments, consent decrees,

400 adjudications, and prior placements.

401 (4) Other factors contributing to the behavioral
402 difficulties of the child.

403 The written recommendations of the juvenile probation
404 officer shall include evidence of the foregoing and other
405 relevant factors.

406 (d) (h) When a delinquent child ~~may be~~ meets the
407 criteria for commitment ~~committable~~ to the Department of
408 Mental Health, the juvenile court shall proceed as provided in
409 Article 4, ~~commencing with Section 12-15-401.~~

410 (e) Whenever (i) When the juvenile court vests legal
411 custody in an agency or department, ~~it~~ the court shall
412 transmit with the order copies of the clinical reports,
413 predisposition study, and other information ~~it~~ the court has
414 in its possession pertinent to the care and treatment of the
415 child.

416 (f) When a child is placed in the legal custody of a
417 department, agency, organization, entity, or person as
418 provided in this section, when the parent, legal guardian, or
419 legal custodian of the child has resources for child support,
420 the juvenile court shall order child support in conformity



421 ~~with the child support guidelines as set out in Rule 32,~~
422 ~~Alabama Rules of Judicial Administration. The child support~~
423 ~~shall be paid to the department, agency, organization, entity,~~
424 ~~or person in whose legal custody the child is placed and may~~
425 ~~be expended for those matters that are necessary for the~~
426 ~~welfare and well-being of those children placed in the~~
427 ~~departments, agencies, organizations, entities, or persons. In~~
428 ~~these cases, the juvenile court shall issue income withholding~~
429 ~~orders subject to state law.~~

430 ~~(g) Whenever~~ (j) When the juvenile court commits a
431 child to a state or local department or agency or orders a
432 state or local department or agency to provide services or
433 treatment for a child, that department or agency shall accept
434 the child for commitment, ordered services, or treatment
435 within seven days of the order of the juvenile court.

436 ~~Notwithstanding the foregoing, if~~ If compliance with the order
437 of the juvenile court within seven days would place a
438 department or agency in violation of either a state statute or
439 standard, then compliance is not required.

440 (k) Nothing in this section shall authorize the
441 imposition of fees, fines, or court costs in any case filed in
442 juvenile court."

443 "§12-19-171

444 (a) The following docket fees shall be collected for
445 ~~juvenile and~~ criminal cases in the district court and the
446 circuit court:

447 (1) District Court:

a. Traffic infraction	\$92.00
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449	b. Issuance of alias	
450	writ	<u>\$20.00</u>
451		
452	c. Misdemeanor-violation	<u>\$117.00</u>
453	d. Felony guilty plea	<u>\$185.00</u>
454	e. Preliminary hearing	<u>\$30.00</u>
455	f. Bond forfeiture	<u>\$65.00</u>
456		

(2) Circuit Court:

457	a. Issuance of alias	
458	writ	<u>\$30.00</u>
459		
460	b. Misdemeanor	<u>\$117.00</u>
461	c. Felony	<u>\$185.00</u>
462	d. Bond forfeiture	<u>\$65.00</u>
463		

~~(3) Docket fees for cases in the juvenile division of the district court or circuit court shall be assessed at eighty-five dollars (\$85) and shall be distributed as follows:~~

- ~~a. Sixteen dollars (\$16) to the Fair Trial Tax Fund.~~
- ~~b. Forty-nine dollars (\$49) to the State General Fund.~~
- ~~c. Ten dollars (\$10) to the county general fund.~~
- ~~d. Five dollars (\$5) to the Peace Officers' Standards and Training Fund.~~
- ~~e. Five dollars (\$5) to the Advanced Technology and Data Exchange Fund.~~

~~(4) Uncollected court costs in juvenile cases may not be assessed as charges against the county.~~

475 (b) A fee of eight dollars (\$8) shall be collected for



476 the issuance of each witness subpoena in a criminal case in
477 the district court and the circuit court. Witness subpoena
478 fees shall be in addition to docket fees. The subpoena fee
479 shall be distributed as follows:

480 (1) Five dollars (\$5) to the county general fund.

481 (2) Three dollars (\$3) to the State General Fund.

482 (c) Effective October 1, 2000, the docket fees in
483 criminal and juvenile cases shall be increased by five dollars
484 (\$5) and the additional fee shall be deposited into the Fair
485 Trial Tax Fund."

486 "§12-19-181

487 (a) In addition to any other docket fees provided by
488 law, including, but not limited to, the docket fees provided
489 in Sections 12-19-171 and 12-19-176, the following fees shall
490 be automatically assessed in cases in municipal, ~~juvenile~~,
491 district, and circuit courts upon conviction ~~or adjudication~~
492 of the defendant of any of the following offenses:

493 (1) Unlawful possession of ~~marihuana~~ marijuana in the
494 second degree in violation of Section 13A-12-214\$40.

495 (2) Possession of drug paraphernalia, misdemeanor
496 conviction or adjudication, in violation of ~~subsection (c) of~~
497 Section 13A-12-260 (c)\$40.

498 (3) Delivery, sale, manufacture, etc. of drug
499 paraphernalia in violation of ~~subsection (d) of~~ Section
500 13A-12-260 (d):

501 a. Misdemeanor\$40.

502 b. Felony\$60.

503 (4) Felony unlawful possession of a controlled



504 substance in violation of Sections 13A-12-212 and 13A-12-213
505\$60.

506 (5) Obtaining a controlled substance by fraud in
507 violation of ~~subdivision (3) of subsection (a) of~~ Section
508 20-2-72 (a) (3).....\$60.

509 (6) Unlawful distribution, manufacture, or sale of a
510 controlled substance in violation of Section 13A-12-211
511\$260.

512 (7) Trafficking in a controlled substance in violation
513 of Section 13A-12-231\$600.

514 (b) The fees collected pursuant to this section shall
515 be collected by the court clerk and remitted monthly to the
516 State Treasury in accordance with Rule 4 of the Alabama Rules
517 of Judicial Administration and distributed as follows:

518 (1) Three-eighths of the fee collected shall be
519 deposited in the Fair Trial Tax Fund in the State Treasury and
520 shall be used solely to pay the fees and expenses for the
521 representation of indigent criminal defendants and other
522 persons pursuant to Sections 15-12-21 ~~to~~through 15-12-23~~r~~
523 ~~inclusive~~.

524 (2) One-eighth of the fee collected shall be deposited
525 in the Advanced Technology and Data Exchange Fund.

526 (3) One-fourth of the fee collected shall be deposited
527 in the State General Fund and shall be used to provide for the
528 statewide coordination of pro bono legal services in civil
529 matters and for the furtherance of professionalism among
530 members of the bench and bar.

531 (4) One-fourth of the fee collected shall be deposited



532 in the State General Fund to implement the uniform judicial
533 pay plan.

534 (c) Notwithstanding any other provision of law, nothing
535 in this section shall authorize the assessment of fees in any
536 case filed in juvenile court."

537 "§12-19-182

538 (a) In all ~~juvenile~~, traffic, criminal, and
539 quasi-criminal cases in the ~~juvenile~~, district, circuit, and
540 municipal courts in this state, a ~~docket fee, hereinafter~~
541 ~~referred to as a~~ solicitor's fee, shall be assessed in each
542 case. ~~The fees, when collected, shall be distributed monthly~~
543 ~~as follows: When collected, Three~~three dollars (\$3) from each
544 case shall be distributed monthly to the circuit clerk of the
545 county where collected to be used as provided by law for the
546 operation of the office of the circuit clerk, and the
547 remainder of each fee shall be distributed monthly to the
548 solicitor's fund or district attorney's fund in the county
549 where collected or to the fund in the county ~~that may be~~
550 hereafter as prescribed by law for the solicitor's fee. The
551 solicitor's fee shall be in an amount equal to all docket fees
552 or court costs which are assessed upon ~~an adjudication of~~
553 ~~guilt in a~~ conviction in a criminal case and distributed to
554 the Fair Trial Tax Fund.

555 (b) The solicitor's fee shall be collected in all
556 criminal cases where the defendant is adjudged guilty, a bond
557 forfeited, a penalty imposed, or where there is issued any
558 alias or capias warrant of arrest. The solicitor's fee shall



559 be in addition to and not in lieu of any other fees or costs.
560 The solicitor's fee shall not be waived or remitted unless the
561 defendant proves to the reasonable satisfaction of the
562 sentencing judge that the defendant is not capable of paying
563 the fee within the reasonable foreseeable future.

564 (c) The solicitor's fee may be expended by the district
565 attorney in the county where it is collected for the payment
566 of any and all expenses incurred and for any legitimate law
567 enforcement purpose.

568 (d) The Legislature may continue to adopt future local
569 laws or repeal existing local laws establishing a solicitor's
570 fee in criminal cases. ~~This section shall not supersede
571 existing local legislation on July 1, 2010, or enacted after
572 July 1, 2010, in any county providing for a solicitor's fee in
573 criminal cases, and any county having local legislation
574 establishing a solicitor's fee shall collect the fee according
575 to the local act until the local act is expressly repealed.
576 Upon repeal of a local act establishing a solicitor's fee, the
577 county shall collect the fee pursuant to this section or
578 pursuant to a local act enacted after July 1, 2010.~~

579 (e) Notwithstanding any other provision of law, nothing
580 in this section shall authorize the assessment of a
581 solicitor's fee in any case filed in juvenile court."

582 "§12-19-311

583 (a) (1) In addition to all other charges, costs, taxes,
584 or fees levied by law on bail bonds, additional fees as
585 detailed in paragraph (5)a. and paragraph (5)b. shall be
586 imposed on every bail bond in all courts of this state.



587 (2) The fee shall not be assessed in juvenile or
588 traffic cases, except for those serious traffic offenses
589 enumerated in Title 32, Chapter 5A, Article 9.

590 (3) Where multiple charges arise out of the same
591 incident, the bond fee pursuant to this section shall only be
592 assessed on one charge. For the purposes of this section, the
593 term "same incident" shall be defined as the same date,
594 location, and proximate time.

595 (4) Where the charge is negotiating a worthless
596 negotiable instrument, the fee shall not be assessed more than
597 three times annually per person charged.

598 (5) The fees shall be assessed as follows:

599 a. A filing fee in the amount of thirty-five dollars
600 (\$35) on each bond executed.

601 b. For a misdemeanor offense, a bail bond fee in the
602 amount of 3.5 percent of the total face value of the bail bond
603 or one hundred dollars (\$100), whichever is greater, but not
604 to exceed four hundred fifty dollars (\$450). For a felony
605 offense, a bail bond fee of 3.5 percent of the total face
606 value of the bail bond or one hundred fifty dollars (\$150),
607 whichever is greater, but not to exceed seven hundred fifty
608 dollars (\$750). Except that if a person is released on a
609 judicial public bail, recognizance, or signature bond,
610 including a bond on electronic traffic and nontraffic
611 citations, the fee shall be affixed at twenty-five dollars
612 (\$25). For purposes of this section, face value of bond shall
613 mean the bond amount set by court or other authority at
614 release, not the amount posted at release on bail.



615 ~~(2) (6)~~ The fees assessed pursuant to paragraph ~~a. of subdivision (1) of subsection (a) (5)a.~~ are required whether
616 the release from confinement or admittance to bail is based on
617 cash, judicial public bail, personal recognizance, a signature
618 bond, including a bond on electronic traffic and nontraffic
619 citations for those serious traffic offenses enumerated in
620 Title 32, Chapter 5A, Article 9, an appearance bond, a secured
621 appearance bond utilizing security, a bond executed by a
622 professional surety company, or a professional bail company
623 using professional bondsmen; provided, however that no fee
624 shall be assessed pursuant to paragraph ~~a. of subdivision (1) of subsection (a) (5)a.~~ if a person is released on judicial
625 public bail or on personal recognizance for a documented
626 medical reason. The fee shall be assessed at the issuance,
627 reissuance, or reinstatement of the bond.

630 (b) (1) The fee in paragraph ~~a. of subdivision (1) of subsection (a) (5)a.~~ shall be collected by either the official
631 executing the bond or by the clerk of the court. If the fee is
632 collected by the official executing the bond, it shall be
633 collected at the execution of the bond or at the time of
634 release. If the fee is collected by the clerk of the court, it
635 shall be collected at the execution of the bond, at the time
636 of release, or within two business days of release.

638 (2) The fee may be remitted via money order, electronic
639 means, U.S. mail to the court clerk postmarked within 48 hours
640 of release, or by any other method approved by the sheriff.

641 (3) If the fee is collected by an official other than
642 the clerk of the court, the official shall remit the fee to



643 the clerk of the court, attached to the executed bond, within
644 30 days or upon adjudication or conviction of the underlying
645 offense, whichever occurs first.~~if~~

646 (4) If the fee is not collected by the official, the
647 official shall provide documentation of the nonpayment,
648 attached to the executed bond, to the clerk of the court
649 within two business days. The clerk of the court may accept
650 the payment of the fee if the clerk has the executed bond,
651 together with proof of nonpayment and charging instrument, in
652 hand. This fee shall be paid by the bondsman, surety,
653 guaranty, or person signing as surety for the undertaking of
654 bail.

655 (5) If the person is released on own recognizance,
656 judicial public bail, or non-custodial offense pursuant to
657 Rule 20 of the Alabama Rules of Judicial Administration, the
658 fee shall be assessed at the time of adjudication or at the
659 time that any other fees and costs are assessed.

660 (c) (1) Upon the failure to pay the fee in paragraph ~~a.~~
661 ~~of subdivision (1) of subsection~~ (a) (5)a. and upon a finding
662 of contempt in subsection (d), the bondsman, surety, guaranty,
663 or individuals required to pay the fee shall be punished by a
664 fine of not less than five hundred dollars (\$500) in addition
665 to the fee imposed in paragraph ~~a. of subdivision (1) of~~
666 ~~subsection~~ (a) (5)a. The fine shall not be remitted, waived, or
667 reduced unless the ~~person(s) individual~~ fined can show cause to
668 the court that he or she cannot pay the fine in the reasonably
669 foreseeable future. ~~In addition, upon~~

670 (2) Upon a finding of contempt, if the responsible



671 party is a professional surety company or a professional bail
672 company or otherwise operating as a bondsman under Alabama
673 law, the presiding judge may revoke the entity or individual's
674 authority to write or issue bonds pursuant to Section
675 15-13-159 or 15-13-160 until ~~such time as~~ the payment is
676 rendered in full.

677 (d) (1) If the fee in paragraph ~~a. of subdivision (1) of~~
678 ~~subsection~~ (a) (5)a. is not paid in full within 30 days, the
679 clerk of the court shall provide notification of the
680 delinquency to the district attorney or prosecuting attorney
681 on a monthly basis.

682 (2) Upon receipt of the certification of delinquency or
683 failure to pay from the court, the district attorney or
684 prosecuting attorney may take appropriate action which may
685 include, but shall not be limited to, contempt proceedings.

686 (3) If contempt proceedings are initiated, the district
687 attorney or prosecuting attorney shall send notice by U.S.
688 ~~Mail~~mail to the last known address of the person charged with
689 the crime, bondsman, surety, guaranty, or person signing as
690 surety for the undertaking of bail of the failure to pay and
691 provide ~~them~~the person 10 days to remit payment in full
692 pursuant to this section.

693 (4) If the surety is the person charged with the crime
694 where the fee applies, the district attorney or prosecuting
695 attorney may file a petition for contempt and the court shall
696 set the contempt hearing on the person's next regularly
697 scheduled court appearance. If the surety is not the person
698 charged with the crime, the district attorney or prosecuting



699 attorney may file a petition for contempt with the court,
700 which may, after hearing, find the bondsman, surety, guaranty, or person signing as surety for the undertaking of bail in
701 contempt.

703 (5) The municipal court clerk shall provide a list to
704 the prosecuting attorney and district attorney every 60 days
705 that shall include, but not be limited to, the name of every
706 person who has failed to pay the fee, the municipal case
707 number, and the name of the person signing as surety for the
708 undertaking bail. If the prosecuting authority of the
709 municipality does not initiate contempt proceedings pursuant
710 to this section within 30 days of receiving notice from the
711 clerk of the court, the district attorney with jurisdiction
712 may file the contempt petition in the municipal court.

713 (6) If the district attorney initiates contempt
714 proceedings in a municipal case and the person is found in
715 contempt, ~~the fine shall be distributed as follows:~~ 50%
716 percent of the fine shall be distributed to the general fund
717 of the municipality and the remaining 50% percent to the
718 district attorney Solicitor's Fund.

719 (e) (1) The fee imposed on bail bonds under paragraph ~~b.~~
720 ~~of subdivision (1) of subsection~~ (a) (5)b. shall be assessed to
721 the defendant and be imposed by the court when the defendant
722 appears in court for adjudication or sentencing.

723 (2) Notwithstanding ~~(e)~~subdivision (1), if the bail
724 bond has been secured by cash, the conditions of release have
725 been performed, and the defendant has been discharged from all
726 obligations of the bond, or if the cash bail bond is forfeited



727 the clerk of the court shall, unless otherwise ordered by the
728 court, retain as the bail bond fee the amount pursuant to
729 paragraph ~~b. of subdivision (1) of subsection (a) (5)b.~~ and
730 disburse the remainder as provided by law.

731 (3) Notwithstanding ~~(e) subdivision (1)~~, if the property
732 bail bond has been secured, the conditions of release have
733 been performed and the defendant has been discharged or
734 released from all obligations of the bond, or if the property
735 bail bond is forfeited, then the bond shall be reduced to the
736 bail bond fee amount pursuant to paragraph ~~b. of subdivision~~
737 ~~(1) of subsection (a) (5)b.~~ and the property shall not be
738 discharged or released by the court until the bail bond fee
739 pursuant to paragraph ~~b. of subdivision (1) of subsection~~
740 (a) (5)b. has been paid in full.

741 (4) The fees shall be collected pursuant to paragraph
742 ~~b. of subdivision (1) of subsection (a) (5)b.~~ by the clerk of
743 the court. The fees pursuant to this section shall not be
744 remitted, waived, or reduced unless the defendant proves to
745 the reasonable satisfaction of the sentencing judge that the
746 defendant is not capable of paying the same within the
747 reasonably foreseeable future. The fees pursuant to this
748 section shall not be remitted, waived, or reduced unless all
749 other costs, fees, and charges of court are remitted or
750 waived.

751 (5) The fees shall not reduce or affect the funds
752 allocated to the office of the court clerk, the sheriff, the
753 municipality, the district attorney, or the Alabama Department
754 of Forensic Sciences under any local act or other funding



755 mechanism under the law. These funds shall be in addition to
756 and not in lieu of any funds currently available to the office
757 of the court clerk, sheriff, municipality, the district
758 attorney, and the Alabama Department of Forensic Sciences.

759 (f) The court clerks shall distribute 1 on a monthly
760 basis as other fees are distributed, the fees collected
761 pursuant to paragraph ~~a. of subdivision (1) of subsection~~
762 (a) (5)a. as follows:

763 (1) Ten percent from each fee shall be distributed
764 either to the county general fund to be earmarked and
765 distributed to the Sheriff's Fund, administered by the
766 sheriff, in the county where the bond was executed or, where
767 the bond is executed by the municipality, to the
768 municipality ~~;~~

769 (2) ~~45~~Forty-five percent of the fee to the court
770 clerk's fund where the bond was executed or where the bond is
771 executed by the municipal court, to the municipality ~~;~~

772 (3) ~~45~~Forty-five percent of the fee to the Solicitor's
773 Fund in the county where the bond was executed. ~~The bail bond~~
774 ~~fee records shall be audited by the Department of Examiners of~~
775 ~~Public Accounts.~~

776 (g) The court clerks shall distribute 1 on a monthly
777 basis as other fees are distributed, the fees collected
778 pursuant to paragraph ~~b. of subdivision (1) of subsection~~
779 (a) (5)b. as follows:

780 (1) Twenty-one dollars and fifty cents (\$21.50) from
781 each fee shall be distributed to the county general fund which
782 shall be earmarked and distributed to the Sheriff's Fund,



783 administered by the sheriff, in the county where the bond was
784 executed or, where the bond was executed by a municipality, to
785 the municipality.~~40~~

786 (2) Forty percent of the remainder of the fee to the
787 court clerk's fund where the bond was executed or where the
788 bond is executed by the municipal court, to the municipality.~~40~~

789

790 (3) ~~45~~Forty-five percent of the remainder of the fee to
791 the Solicitor's Fund in the county where the bond was
792 executed.~~40~~

793 (4) ~~five~~Five percent to the State General Fund~~and ten~~.

794 (5) Ten percent to the Alabama Forensic Services Trust
795 Fund.—

796 (h) The bail bond fee records shall be audited by the
797 Department of Examiners of Public Accounts."

798 "§12-23-7

799 (a) Any person who is convicted of an alcohol or
800 drug-related offense and who is placed on probation or parole
801 shall be required to participate in an alcohol or drug testing
802 program at his or her own expense, unless he or she is
803 determined to be indigent. Any ~~such~~ person who fails~~the~~ an
804 alcohol or drug test shall be required to do all of the
805 following:

806 (1) Provide information needed to conduct a treatment
807 assessment.~~and~~

808 (2) Complete the recommended treatment~~and~~.

809 (3) Pay for the assessment, treatment, and alcohol or
810 drug testing unless the court finds he or she is indigent.



811 (b) Any person who fails to complete treatment and pay
812 for it shall be charged with violation of probation or parole;
813 provided, however, that indigents shall not be required to pay
814 for treatment or monitoring provided by court referral
815 officers.

816 (c) Notwithstanding subsection (b), nothing in this
817 section shall authorize the juvenile court to charge a
818 juvenile with violation of probation for failure to pay for
819 any treatment, testing, or assessment pursuant to this
820 section."

821 "§12-23-12

822 (a) In addition to the imposition of any other costs,
823 penalties, or fines imposed pursuant to law, any person
824 convicted as an adult or adjudicated a youthful offender—~~or~~
825 ~~juvenile delinquent~~ based on the offense of driving under the
826 influence or other alcohol or drug related offenses as defined
827 in this chapter shall be ordered by the court to pay an
828 alcohol and drug abuse court referral officer assessment fee
829 in an amount recommended by the Administrative Office of
830 Courts and approved by the Supreme Court. ~~Such~~The additional
831 assessment fee shall be collected by the court referral
832 officer by the 10th day of each month.

833 (b) The State Treasurer shall credit ~~such sums fees~~
834 collected pursuant to this section to the Alcohol and Drug
835 Abuse Court Referral Officer Trust Fund.

836 (c) Notwithstanding subsection (a), nothing in this
837 section shall authorize the imposition of a court referral
838 officer assessment fee in any case filed in juvenile court."



839 "§12-23-13

840 (a) Any alcohol or drug-related offender referred for
841 assessment and placed on probation by the judge shall pay a
842 monitoring fee to the court referral officer which shall also
843 be remitted to the State Treasurer by the court referral
844 officer by the tenth day of each month as set out in Section
845 12-23-10. The assessment fee and monitoring fees shall be
846 established and regulated by the Administrative Office of
847 Courts and can be adjusted to ensure that adequate financial
848 resources are available to support the court referral program
849 and administration of the programs.

850 (b) Notwithstanding subsection (a), nothing in this
851 section shall authorize the imposition of a monitoring fee in
852 any case filed in juvenile court."

853 "§13A-5-2

854 (a) Every person convicted of a felony shall be
855 sentenced by the court to imprisonment for a term authorized
856 by Sections 13A-5-6, 13A-5-9, and 13A-5-10.

857 (b) In addition to imprisonment, every person convicted
858 of a felony may be sentenced by the court to pay a fine
859 authorized by Section 13A-5-11.

860 (c) Every person convicted of a misdemeanor or
861 violation shall be sentenced by the court to:

862 (1) ~~Imprisonment~~ imprisonment for a term authorized by
863 Section 13A-5-7~~;~~,

864 (2) ~~Pay~~ to pay a fine authorized by Section 13A-5-12~~;~~,
865 or

866 (3) ~~Both such imprisonment and fine both.~~



867 (d) Every person convicted of a felony, misdemeanor, or
868 violation, except for the commission of a sex offense
869 involving a child as defined in Section 15-20A-4(26), may be
870 placed on probation as authorized by law.

871 (e) This article does not deprive a court of authority
872 conferred by law to forfeit property, dissolve a corporation,
873 suspend or cancel a license or permit, remove a person from
874 office, cite for contempt, or impose any other lawful civil
875 penalty. Such a judgment, order, or decree may be included as
876 part of the sentence.

877 (f) Every person convicted of murder shall be sentenced
878 by the court to imprisonment for a term, or to death, life
879 imprisonment without parole, or life imprisonment in the case
880 of a defendant who establishes that he or she was under ~~the~~
881 ~~age of~~ 18 years of age at the time of the offense, as
882 authorized by ~~subsection (c) of~~ Section 13A-6-2(c).

886 "§13A-5-11

892 (2) For a Class B felony, not more than ~~\$30,000~~; thirty
893 thousand dollars (\$30,000).

894 (3) For a Class C felony, not more than ~~\$15,000~~



895 fifteen thousand dollars (\$15,000).

896 (4) For a Class D felony, not more than ~~\$7,500; or~~
897 seven thousand five hundred dollars (\$7,500).

898 (5) Any amount not exceeding double the pecuniary gain
899 to the defendant or loss to the victim caused by the
900 commission of the offense.

901 (b) As used in this section, "gain" means the amount of
902 money or the value of property derived from the commission of
903 the crime, less the amount of money or the value of property
904 returned to the victim of the crime or seized or surrendered
905 to lawful authority prior to the time sentence is imposed.
906 "Value" shall be determined by the standards established in
907 subdivision (14) of Section 13A-8-1(14).

908 (c) The court may conduct a hearing upon the issue of
909 defendant's gain or the victim's loss from the crime according
910 to procedures established by rule of court.

911 (d) This section shall not apply if a higher fine is
912 otherwise authorized by law for a specific crime.

913 (e) Notwithstanding any other provision of law, nothing
914 in this section shall authorize the imposition of a fine in
915 any case filed in juvenile court."

916 "§13A-5-12

917 (a) A sentence to pay a fine for a misdemeanor shall be
918 for a definite amount, fixed by the court, within the
919 following limitations:

920 (1) For a Class A misdemeanor, not more than ~~\$6,000;~~
921 six thousand dollars (\$6,000).

922 (2) For a Class B misdemeanor, not more than ~~\$3,000;~~



923 three thousand dollars (\$3,000).

924 (3) For a Class C misdemeanor, not more than ~~\$500; or~~
925 five hundred dollars (\$500).

926 (4) Any amount not exceeding double the pecuniary gain
927 to the defendant or loss to the victim caused by the
928 commission of the offense.

929 (b) A sentence to pay a fine for a violation shall be
930 for a definite amount, fixed by the court, not to exceed \$200,
931 or any amount not exceeding double the pecuniary gain to the
932 defendant or loss to the victim caused by the commission of
933 the offense.

934 (c) As used in this section, "gain" means the amount of
935 money or the value of property derived from the commission of
936 the crime, less the amount of money or the value of property
937 returned to the victim of the crime or seized or surrendered
938 to lawful authority prior to the time sentence is imposed.
939 "Value" shall be determined by the standards established in
940 subdivision (14) of Section 13A-8-1(14).

941 (d) The court may conduct a hearing upon the issue of
942 defendant's gain or the victim's loss from the crime according
943 to procedures established by rule of court.

944 (e) Notwithstanding any other provision of law, nothing
945 in this section shall authorize the imposition of a fine in
946 any case filed in juvenile court."

947 "§15-23-17

948 (a) In all criminal and quasi-criminal proceedings for
949 the violation of laws of the state or municipal ordinances
950 which are tried in any court or tribunal in this state,



951 ~~wherein~~in which the defendant is adjudged guilty or pleads
952 guilty, or is adjudicated a ~~juvenile delinquent or~~ youthful
953 offender, or wherein a bond is forfeited and the result of the
954 forfeiture is a final disposition of the case, or ~~wherein~~
955 where any penalty is imposed, there is imposed an additional
956 cost of court in the amount of two dollars (\$2) for each
957 traffic infraction, ten dollars (\$10) in each proceeding where
958 the offense constitutes a misdemeanor ~~and/or~~or a violation of
959 a municipal ordinance other than traffic infractions, and
960 fifteen dollars (\$15) in each proceeding where the offense
961 constitutes a felony, but there shall be no additional costs
962 imposed for violations relating to parking of vehicles.

963 (b) The amount of all costs shall be remitted by the
964 person or authority collecting the costs to the chair of the
965 commission on the tenth day of each month next succeeding ~~that~~
966 the month in which the cost is paid. It shall be the duty of
967 the clerk or other authority collecting the court costs to
968 keep accurate records of the amounts due the commission for
969 the benefit of the fund under this section.

970 (b)(c) (1) In addition to the imposition of any other
971 costs, penalties, or fines imposed pursuant to law, any person
972 convicted or pleading guilty to a felony or a misdemeanor or a
973 violation for which the person is adjudicated ~~a juvenile~~
974 ~~delinquent, or~~ a youthful offender, shall be ordered to pay a
975 victim compensation assessment of not less than fifty dollars
976 (\$50), nor more than ten thousand dollars (\$10,000), for each
977 felony for which the person was convicted or adjudicated and
978 not less than twenty-five dollars (\$25), nor more than one



979 thousand dollars (\$1,000), for each misdemeanor or violation
980 for which the person was convicted, adjudicated, or otherwise
981 disposed of when the court orders that costs be paid. In

982 (2) When imposing this penalty, the court shall
983 consider factors such as the severity of the crime, the prior
984 criminal record, and the ability of the defendant to pay, as
985 well as the economic impact of the victim compensation
986 assessment on the dependents of the defendant. Any person
987 adjudicated a juvenile delinquent shall be ordered to pay a
988 victim compensation assessment of not less than twenty-five
989 dollars (\$25), nor more than one thousand dollars (\$1,000),
990 for each adjudication, regardless of the underlying charge,
991 but the assessment or penalty authorized by this subsection
992 shall not be assessed or collected for any conservation,
993 forestry, or water safety offense, nor any traffic offense,
994 except those that are punishable as a felony offense or
995 involve the operation or actual physical control of any
996 vehicle while intoxicated or under the influence of drugs, or
997 reckless driving.

998 (3) If a court fails to specifically impose an
999 assessment required by this section, the clerk of court shall
1000 automatically assess a victim compensation assessment in the
1001 minimum amount provided hereinby this section. The additional
1002 assessment or penalty shall be collected by the clerk of court
1003 insuring that and promptly paid as follows:

1004 a. theThe first twenty-five dollars (\$25) of each
1005 felony assessment and twelve dollars and fifty cents (\$12.50)
1006 of each misdemeanor assessment shall be promptly paid over to



1007 the commission.

1008 b. The second twenty-five dollars (\$25) of each felony
1009 assessment and twelve dollars and fifty cents (\$12.50) of each
1010 misdemeanor assessment ~~shall be promptly paid~~ to the Office of
1011 Prosecution Services.

1012 (4) Any victim assessment fees ordered above the
1013 minimum shall be paid to the commission fund.

1014 (c) The Office of Prosecution Services shall create
1015 a Victim Services Fund and the assessments received by the
1016 Office of Prosecution Services shall be deposited into the
1017 Victim Services Fund. The funds received by the Office of
1018 Prosecution Services shall be distributed by the Executive
1019 Committee of the Alabama District Attorneys Association to the
1020 various district attorneys' offices to employ a minimum of one
1021 full-time victim service officer in each circuit and to
1022 provide other direct services to victims as needed."

1023 Section 2. Any fines, fees, or court costs previously
1024 ordered by a juvenile court shall be uncollectable and the
1025 portion of any order imposing fines, fees, or court costs is
1026 vacated.

1027 Section 3. Section 12-15-109, Code of Alabama 1975,
1028 relating to the issuance of court orders for the payment of
1029 court costs, attorneys fees, and expenses under the
1030 jurisdiction of the juvenile court, is repealed.

1031 Section 4. This act shall become effective on the first
1032 day of the third month following its passage and approval by
1033 the Governor, or its otherwise becoming law.