

HB328 INTRODUCED



1 HB328
2 WRLT5E5-1
3 By Representatives Bedsole, Ellis, Paschal, DuBose, Mooney,
4 Carns, Hulsey (N & P)
5 RFD: Shelby County Legislation
6 First Read: 19-Mar-24



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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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9 Relating to Shelby County; to authorize the Shelby
10 County Manager to void a motor vehicle licenses and other
11 licenses when a check, credit card, or other form of payment
12 tendered by an individual, company, or other entity for
13 payment of any license is found non-collectible; and to
14 provide for the reimbursement from the General Fund of Shelby
15 County to the Shelby County License Department for losses by
16 the office for errors and omissions.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall only apply in Shelby County.

19 Section 2. When a check, credit card, or other form of
20 payment tendered by an individual, company, or other entity
21 for payment of any motor vehicle license, vessel registration,
22 privilege license, door-to-door sales license, rental lease,
23 driver license, game and fish license, manufactured home
24 registration, or any other license is found to be
25 non-collectible, the Shelby County License Department shall
26 make a reasonable attempt to retrieve the motor vehicle
27 license plate or decal or to retrieve any other license issued
28 based on the non-collectible payment and the Shelby County



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Manager may void the registration or license and any sales and use taxes, ad valorem taxes, issuance fees, interest, penalties, and costs related to the non-collectible payment. After the motor vehicle or other licenses have been voided, the license department shall receive credit for costs associated with the non-collectible check, credit card, or instrument issued. The appropriate state office shall mark the records pertaining to the voided license accordingly, and upon inquiry by any law enforcement agency, shall notify the agency that the party in question is operating under a voided license. All violations shall be prosecuted in accordance to law.

Section 3.(a) The Shelby County Commission shall reimburse the Shelby County License Department from the General Fund of Shelby County up to three thousand dollars (\$3,000), per year, or up to such other amount as may be adjusted from time to time by the county commission, for the amount of any losses arising or caused by any errors, mistakes, or omissions of the Shelby County License Department, or agents of the department, if the County Manager, or his or her agents, finds the losses were caused without personal knowledge, including losses arising from acceptance of worthless or forged checks, drafts, money orders, credit cards, or other written or online orders for money or its equivalent.

(b) The Shelby County License Department and the Shelby County Manager shall ensure that the license department employees exercise due care in performing their duties and



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57 make a diligent effort to correct any error, mistake, or
58 omission and collect the amount subject to potential loss
59 immediately upon becoming aware of the potential loss. This
60 section shall not apply to any deliberate misuse or
61 misappropriation of funds by the license department or
62 employees of the office.

63 Section 4. The provisions of this act are supplemental
64 and it shall be construed in pari materia with other laws
65 regarding the Shelby County License Department.

66 Section 5. All laws or parts of laws which are indirect
67 conflict or inconsistent herewith are hereby repealed.

68 Section 6. This act shall become effective on June 1,
69 2024.