HB341

FNMNDCC-1

By Representative (N & P)

RFD: Baldwin County Legislation

First Read: 19-Mar-24

A BILL

TO BE ENTITLED

AN ACT

Relating to Baldwin County; to amend Section 45-2-231.90, Code of Alabama 1975; to increase service of process fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-2-231.90, Code of Alabama 1975, is amended to read as follows:

"§45-2-231.90

(a) This section shall only apply to Baldwin County.

(b) The Baldwin County Sheriff Service of Process Serving Fund is created and ~~hereinafter~~ referred to in this section as the fund.

(c) The Sheriff of Baldwin County, except for warrants for arrest, may contract with or enter into contract or agreement with a private, public, or governmental entity for the purpose of service of process.

(d)(1) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the criminal division of the district and circuit courts of Baldwin County, shall collect a service of process fee of ~~thirty dollars ($30)~~ fifty dollars

($50) per document which shall be paid into the fund.

(2) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the civil division of the district and circuit courts of Baldwin County, shall collect a service of process fee of ~~thirty dollars ($30)~~ fifty dollars ($50) per document which shall be paid into the fund.

(3) The clerk, sheriff, or other appropriate court official shall collect a service of process fee of fifty dollars ($50) per document for matters originating outside of Baldwin County which shall be paid into the fund.

~~(3)~~ (4) The court official designated in Baldwin County by law for the respective courts shall collect the service of process fee designated in subdivisions (1) ~~and~~, (2), and (3) and shall retain three dollars ($3) of each fee for deposit in the circuit clerk's fund for the operation of the office of circuit clerk or for compensation or reimbursement of mileage incurred by jurors. The remainder of the fees collected shall be remitted to the sheriff for deposit in the Sheriff's Service of Process Serving Fund.

(e)(1) The sheriff may use the monies generated by this section for any lawful purpose relating to the operation of the office of sheriff, including, but not limited to, any of the following:

a. The operation of the office of sheriff, the jail, or other correction center; judicial protective services; the purchase of office supplies and equipment, communications equipment, personal equipment, uniforms, and automobiles;

salaries, salary supplements, expense allowances, and professional dues; training; and related activities.

b. The construction, renovation, furnishing, and maintenance of offices, buildings, and grounds operated by the office of sheriff.

c. Any other expenses by the sheriff related to the enhancement of law enforcement and corrections in the county.

(2) The funds shall not revert to the general fund of the county at the end of the fiscal year."

Section 2. This act shall become effective on October 1, 2024.