

HB304 INTRODUCED



1 HB304
2 I3JDXWW-1
3 By Representatives Brinyark, Faulkner
4 RFD: Ways and Means General Fund
5 First Read: 21-Jan-26



SYNOPSIS:

Under existing law, the funds from the Advanced Technology and Data Exchange Fund may only be used for specific purposes related to the administration of justice.

This bill would allow the Administrative Office of Courts to expend funds from the Advanced Technology and Data Exchange Fund for the general operation of the courts.

This bill would also create the Supreme Court Advanced Technology and Data Exchange Fund, the Court of Civil Appeals Advanced Technology and Data Exchange Fund, and the Court of Criminal Appeals Advanced Technology and Data Exchange Fund and provide for the administration of those funds.

A BILL

TO BE ENTITLED

AN ACT

Relating to the Advanced Technology and Data Exchange Fund; to amend Section 12-19-290, Code of Alabama 1975, to further provide for the expenditure of funds from the Advanced Technology and Data Exchange Fund; and to create the Supreme



HB304 INTRODUCED

Court Advanced Technology and Data Exchange Fund, the Court of Civil Appeals Advanced Technology and Data Exchange Fund, and the Court of Criminal Appeals Advanced Technology and Data Exchange Fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-19-290, Code of Alabama 1975, is amended to read as follows:

"§12-19-290

(a) The Administrative Office of Courts Advanced Technology and Data Exchange Fund is created in the State Treasury.

(b) The fund shall consist of all monies paid into the State Treasury to the credit of the fund pursuant to Section 12-19-181 or by legislative appropriations, grant, gift, or otherwise.

(c) Monies contained in the ~~Advanced Technology and Data Exchange Fund~~ fund may be expended to provide for any activities involving the administration of justice, including, but not limited to, the following purposes:

(1) Expand methods and means for collection and disbursement of court-ordered monies through the use of credit cards, electronic fund transfers, or other means and provide for electronic transfer of records and storage.

(2) Enhance coordination and sharing of data with local, state, and federal agencies, members of the bar, and the public.

(3) Provide equipment for electronically filing cases.

(4) Improve accountability for case filings and



HB304 INTRODUCED

dispositions.

(5) Train and educate employees and officials on the state and municipal levels of the Unified Judicial System regarding legal and administrative policies and procedures and effective usage of the courts' management systems.

(6) Provide education materials including, but not limited to, manuals, forms, handbooks, books, brochures, and technology for legal research and case management for court officials and employees and component groups of the legal community.

(7) Provide staff, services, and equipment required to maintain and expand technological improvements and conduct continuing education and training in these areas.

(8) Provide for any other use by the Administrative Office of Courts, as determined by the Administrative Director of Courts, for the general operation of the courts in the state.

~~(8)~~ (9) a. Pay service charges, electronic transfer fees, or any other transaction costs associated with subdivisions (1) to ~~(7)~~ (8), inclusive.

b. All such costs shall be paid out of funds appropriated to the Administrative Office of Courts Advanced Technology and Data Exchange Fund and shall not reduce amounts due to be distributed to other governmental funds or entities.

(d) (1) Subject to the adoption of uniform rules by the Administrative Office of Courts, the clerks of the circuit and district courts may accept credit cards, charge cards, or debit cards issued from any bank, foreign lender, domestic



HB304 INTRODUCED

lender, or credit card bank as defined in Section 5-20-3 for the payment of court costs, fees, fines, forfeitures, judgments, restitution, attorney fees, any monies collected and payable to individuals, businesses or partnerships, or any person or entity or assessments of any kind. Any other provision of law to the contrary notwithstanding, the clerk of the court or agent thereof accepting payment as provided for in this subsection shall impose and collect a surcharge or convenience fee in respect of payments made by credit card, charge card, or debit card for any of the above in an amount not exceeding the sum of the following:—

a. ~~the~~The transaction fee or discount charged by the credit card, charge card, or debit card issuer or processor with respect to such payments;~~—and—~~.

b. ~~any~~Any cost or fee charged with respect to the payments pursuant to agreement between the Administrative Office of Courts and a contracting entity which provides software, support, and management services in connection with the acceptance of payment by credit card, charge card, or debit card by the clerks of the circuit and district courts as provided herein.

(2) The imposition and validity of any surcharges or convenience fees heretofore charged and collected by clerks of the circuit or district courts or their agents prior to June 1, 2014, are hereby ratified and confirmed.

(e) The Administrative Director of Courts or any municipality may contract with any company that issues credit cards to collect and seize credit cards issued by any company



HB304 INTRODUCED

that are outdated or otherwise unauthorized. The state or municipality may charge the company a fee for the return of the credit cards. Any fees collected pursuant to this subsection by state courts shall be deposited into the Advanced Technology and Data Exchange Fund and the fees collected by a municipal court shall be deposited into the general fund of the municipality.

(f) Procedures for implementing the provisions of Act 99-427 may be ~~promulgated~~adopted as Rules of Judicial Administration adopted by the Supreme Court of Alabama.

(g) At the end of any fiscal year, any unexpended or unencumbered monies contributed to or deposited in the fund from any source, except appropriations from other state funds, shall remain in the fund.

(h) The clerk of any court shall not be liable to any person for any action taken pursuant to this section if he or she acts in accordance with the rules adopted by the Administrative Office of Courts."

Section 2. (a) The Supreme Court Advanced Technology and Data Exchange Fund is created in the State Treasury.

(b) The fund shall consist of all monies paid into the State Treasury to the credit of the fund through user fees, copy fees, subscriptions, service charges, and any other sources associated with the operation of the appellate court case management system or by the legislative appropriations, grant, gift, or otherwise.

(c) Monies contained in the fund may be expended by the Supreme Court of Alabama to provide for any activities



HB304 INTRODUCED

involving the administration of justice including the following purposes:

(1) Expand methods and means for collection and disbursement of court-ordered monies through the use of credit cards, electronic funds transfers, or other means and provide for electronic transfer of records and storage.

(2) Enhance coordination and sharing of data with local, state, and federal agencies, members of the bar, and the public.

(3) Provide equipment for electronically filing cases.

(4) Improve accountability for case filings and dispositions.

(5) Train and educate employees and officials on the trial or appellate levels of the Unified Judicial System regarding legal and administrative policies and procedures and effective usage of the courts' management systems.

(6) Provide education materials including manuals, forms, handbooks, books, brochures, and technology for legal research and case management for appellate and trial court officials and employees and component groups of the legal community.

(7) Provide staff, services, and equipment required to maintain and expand technological improvements and conduct continuing education and training in these areas.

(8) Provide for any other use by the Supreme Court of Alabama for the general operations that further the administration of justice.

(9) Pay service charges, electronic transfer fees, or



HB304 INTRODUCED

169 any other transaction costs associated with subdivisions (1)
170 to (8), inclusive.

171 (d) The Administrative Office of Courts is authorized
172 to transfer to the Supreme Court Advanced Technology and Data
173 Exchange Fund established by subsection (a) any amounts on
174 deposit in the Administrative Office of Courts Advanced
175 Technology Data and Exchange Fund to the credit of the Supreme
176 Court of Alabama.

177 (e) At the end of any fiscal year, any unexpended or
178 unencumbered monies contributed to or deposited in the fund
179 from any source shall remain in the fund for the use of the
180 Supreme Court of Alabama.

181 (f) All monies in the fund shall be budgeted and
182 allotted pursuant to the Budget Management Act in accordance
183 with Article 4 of Chapter 4 and Chapter 19 of Title 41, Code
184 of Alabama 1975, and only in the amount provided by the
185 Legislature in the general appropriations act or other
186 appropriations act.

187 Section 3. (a) The Court of Civil Appeals Advanced
188 Technology and Data Exchange Fund is created in the State
189 Treasury.

190 (b) The fund shall consist of all monies paid into the
191 State Treasury to the credit of the fund through user fees,
192 copy fees, subscriptions, service charges, and any other
193 sources associated with the operation of the appellate court
194 case management system or by the legislative appropriations,
195 grant, gift, or otherwise.

196 (c) Monies contained in the fund may be expended by the



HB304 INTRODUCED

197 Alabama Court of Civil Appeals to provide for any activities
198 involving the administration of justice including the
199 following purposes:

200 (1) Expand methods and means for collection and
201 disbursement of court-ordered monies through the use of credit
202 cards, electronic funds transfers, or other means and provide
203 for electronic transfer of records and storage.

204 (2) Enhance coordination and sharing of data with
205 local, state, and federal agencies, members of the bar, and
206 the public.

207 (3) Provide equipment for electronically filing cases.

208 (4) Improve accountability for case filings and
209 dispositions.

210 (5) Train and educate employees and officials on the
211 trial or appellate levels of the Unified Judicial System
212 regarding legal and administrative policies and procedures and
213 effective usage of the courts' management systems.

214 (6) Provide education materials including manuals,
215 forms, handbooks, books, brochures, and technology for legal
216 research and case management for appellate and trial court
217 officials and employees and component groups of the legal
218 community.

219 (7) Provide staff, services, and equipment required to
220 maintain and expand technological improvements and conduct
221 continuing education and training in these areas.

222 (8) Provide for any other use by the Alabama Court of
223 Civil Appeals for the general operations that further the
224 administration of justice.



HB304 INTRODUCED

(9) Pay service charges, electronic transfer fees, or any other transaction costs associated with subdivisions (1) to (8), inclusive.

(d) The Administrative Office of Courts is authorized to transfer to the Court of Civil Appeals Advanced Technology and Data Exchange Fund established by subsection (a) any amounts on deposit in the Administrative Office of Courts Advanced Technology Data and Exchange Fund to the credit of the Alabama Court of Civil Appeals.

(e) At the end of any fiscal year, any unexpended or unencumbered monies contributed to or deposited in the fund from any source shall remain in the fund for the use of the Alabama Court of Civil Appeals.

(f) All monies in the fund shall be budgeted and allotted pursuant to the Budget Management Act in accordance with Article 4 of Chapter 4 and Chapter 19 of Title 41, Code of Alabama 1975, and only in the amount provided by the Legislature in the general appropriations act or other appropriations act.

Section 4. (a) The Court of Criminal Appeals Advanced Technology and Data Exchange Fund is created in the State Treasury.

(b) The fund shall consist of all monies paid into the State Treasury to the credit of the fund through user fees, copy fees, subscriptions, service charges, and any other sources associated with the operation of the appellate court case management system or by the legislative appropriations, grant, gift, or otherwise.



HB304 INTRODUCED

(c) Monies contained in the fund may be expended by the Alabama Court of Criminal Appeals to provide for any activities involving the administration of justice including the following purposes:

(1) Expand methods and means for collection and disbursement of court-ordered monies through the use of credit cards, electronic funds transfers, or other means and provide for electronic transfer of records and storage.

(2) Enhance coordination and sharing of data with local, state, and federal agencies, members of the bar, and the public.

(3) Provide equipment for electronically filing cases.

(4) Improve accountability for case filings and dispositions.

(5) Train and educate employees and officials on the trial or appellate levels of the Unified Judicial System regarding legal and administrative policies and procedures and effective usage of the courts' management systems.

(6) Provide education materials including manuals, forms, handbooks, books, brochures, and technology for legal research and case management for appellate and trial court officials and employees and component groups of the legal community.

(7) Provide staff, services, and equipment required to maintain and expand technological improvements and conduct continuing education and training in these areas.

(8) Provide for any other use by the Alabama Court of Criminal Appeals for the general operations that further the



HB304 INTRODUCED

281 administration of justice.

282 (9) Pay service charges, electronic transfer fees, or
283 any other transaction costs associated with subdivisions (1)
284 to (8), inclusive.

285 (d) The Administrative Office of Courts is authorized
286 to transfer to the Court of Criminal Appeals Advanced
287 Technology and Data Exchange Fund established by subsection
288 (a) any amounts on deposit in the Administrative Office of
289 Courts Advanced Technology Data and Exchange Fund to the
290 credit of the Alabama Court of Criminal Appeals.

291 (e) At the end of any fiscal year, any unexpended or
292 unencumbered monies contributed to or deposited in the fund
293 from any source shall remain in the fund for the use of the
294 Alabama Court of Criminal Appeals.

295 (f) All monies in the fund shall be budgeted and
296 allotted pursuant to the Budget Management Act in accordance
297 with Article 4 of Chapter 4 and Chapter 19 of Title 41, Code
298 of Alabama 1975, and only in the amount provided by the
299 Legislature in the general appropriations act or other
300 appropriations act.

301 Section 5. This act shall become effective on June 1,
302 2026.