

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



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4 SYNOPSIS:

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

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

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

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21 A BILL
22 TO BE ENTITLED
23 AN ACT

24
25 Relating to the Advanced Technology and Data Exchange
26 Fund; to amend Section 12-19-290, Code of Alabama 1975, to
27 further provide for the expenditure of funds from the Advanced
28 Technology and Data Exchange Fund; and to create the Supreme



29 Court Advanced Technology and Data Exchange Fund, the Court of
30 Civil Appeals Advanced Technology and Data Exchange Fund, and
31 the Court of Criminal Appeals Advanced Technology and Data
32 Exchange Fund.

33 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

36 "§12-19-290

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

40 (b) The fund shall consist of all monies paid into the
41 State Treasury to the credit of the fund pursuant to Section
42 12-19-181 or by legislative appropriations, grant, gift, or
43 otherwise.

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

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

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

55 (3) Provide equipment for electronically filing cases.

56 (4) Improve accountability for case filings and



57 dispositions.

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

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

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

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

74 ~~(8)~~(9)a. Pay service charges, electronic transfer fees,
75 or any other transaction costs associated with subdivisions
76 (1) to ~~(7)~~(8), inclusive.

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

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



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

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

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

106 (2) The imposition and validity of any surcharges or
107 convenience fees heretofore charged and collected by clerks of
108 the circuit or district courts or their agents prior to June
109 1, 2014, are hereby ratified and confirmed.

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



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

120 (f) Procedures for implementing the provisions of Act
121 99-427 may be ~~promulgated~~adopted as Rules of Judicial
122 Administration adopted by the Supreme Court of Alabama.

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

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

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

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

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

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141 involving the administration of justice including the
142 following purposes:

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

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

150 (3) Provide equipment for electronically filing cases.

151 (4) Improve accountability for case filings and
152 dispositions.

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

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

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

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

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



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



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.



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

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

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

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

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



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

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

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

264 (3) Provide equipment for electronically filing cases.

265 (4) Improve accountability for case filings and
266 dispositions.

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

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

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



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.