

1 HB494
2 107843-1
3 By Representative Wren (N & P)
4 RFD: Montgomery County Legislation
5 First Read: 04-FEB-10

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Montgomery County; providing for the
14 assessment and collection of a solicitor's fee payable to the
15 Solicitor's Fund in all criminal cases in an amount equal to
16 the fees and court costs payable to the Fair Trial Tax Fund in
17 criminal cases; and providing for the disbursement of the
18 fund.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. In all juvenile, traffic, criminal, and
21 quasi-criminal cases in the juvenile, district, circuit, and
22 municipal courts in Montgomery County, a docket fee,
23 hereinafter referred to as a solicitor's fee, shall be
24 assessed in each case. The fees, when collected, shall be
25 distributed monthly to the Solicitor's Fund in the county or
26 to the fund that may be hereafter prescribed by law for the
27 solicitor's fee. The solicitor's fee shall be in an amount

1 equal to all docket fees or court costs which are assessed
2 upon an adjudication of guilt in a criminal case and
3 distributed to the Fair Trial Tax Fund.

4 Section 2. The solicitor's fee shall be collected in
5 all criminal cases where the defendant is adjudged guilty, a
6 bond forfeited, a penalty imposed, or where there is issued
7 any alias or capias warrant of arrest. The solicitor's fee
8 shall be in addition to and not in lieu of any other fees or
9 costs. The solicitor's fee shall not be waived or remitted
10 unless the defendant proves to the reasonable satisfaction of
11 the sentencing judge that the defendant is not capable of
12 paying the fee within the reasonably foreseeable future.

13 Section 3. The solicitor's fee may be expended, as
14 the district attorney sees fit, for the payment of any and all
15 expenses incurred by the district attorney for law enforcement
16 and in the discharge of the duties of the office.

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