

1 HB628  
2 116426-3  
3 By Representative Laird (N & P)  
4 RFD: Local Legislation  
5 First Read: 23-FEB-10

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2 ENROLLED, An Act,

3           Relating to Clay County, to amend Section  
4 45-14-80.01 of the Code of Alabama 1975, relating to service  
5 of process fees and the Sheriff's Department Fund; to increase  
6 the service of process fee for in-state cases to \$15 and for  
7 out-of-state cases to \$75.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9           Section 1. Section 45-14-80.01 of the Code of  
10 Alabama 1975, is amended to read as follows:

11           "§45-14-80.01.

12           "(a) In Clay County, in addition to all other fees  
13 or costs levied, there shall be taxed as costs the sum of ~~five~~  
14 ~~dollars (\$5)~~ fifteen dollars (\$15) in the service of any  
15 papers or documents by the sheriff or any deputy sheriff  
16 arising out of any civil or quasi-civil proceeding at law or  
17 in equity, whether such proceeding is in any inferior court,  
18 municipal court, district court, or circuit court and whether  
19 such proceeding is filed in or arising in any of the courts,  
20 or on appeal, certiorari, or otherwise to the district court  
21 or the circuit court. The costs shall be collected in the same  
22 manner as other costs in such cases in the respective courts.

23           "(b) In Clay County, in addition to all other fees  
24 or costs levied, there shall be taxed as costs the sum of five  
25 dollars (\$5) upon conviction in any criminal proceeding

1 arising out of the commission of a misdemeanor or felony. The  
2 costs shall be collected in the same manner as other costs in  
3 such cases in the respective courts.

4 "(c) In Clay County, in addition to all other fees  
5 or costs levied, there shall be taxed as costs the sum of  
6 ~~fifteen dollars (\$15)~~ seventy-five dollars (\$75) in the  
7 service of any papers or documents by the sheriff or any  
8 deputy sheriff arising out of any civil or criminal action  
9 instituted outside the State of Alabama, whether at law or  
10 equity. The costs shall be collected in the same manner as  
11 other court costs in actions instituted or arising outside the  
12 State of Alabama.

13 "(d) In Clay County, in addition to all other fees  
14 or costs levied, there shall be taxed as costs the sum of five  
15 dollars (\$5) in any criminal proceeding arising out of the  
16 violation of drug and controlled substances, whether felonious  
17 or misdemeanor, and, in any court located in the county,  
18 whether inferior court, municipal court, district court, or  
19 circuit court and whether such proceeding is filed in or  
20 arising in any of the courts, or on appeal, certiorari, or  
21 otherwise to the district court or the circuit court. The  
22 costs shall be collected in the same manner as other costs in  
23 such cases in the respective courts.

1                   "(e) All funds generated by the provisions of this  
2 section shall be paid into the General Fund of Clay County,  
3 designated for the "Sheriff's Department Fund."

4                   Section 2. This act shall become effective on the  
5 first day of the third month following its passage and  
6 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 02-MAR-10.

Greg Pappas  
Clerk

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Senate

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06-APR-10

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Passed