

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

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Clay County, to amend Section  
14 45-14-80.01 of the Code of Alabama 1975, relating to service  
15 of process fees and the Sheriff's Department Fund; to increase  
16 the service of process fee for in-state cases to \$15 and for  
17 out-of-state cases to \$75.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

21 "§45-14-80.01.

22 "(a) In Clay County, in addition to all other fees  
23 or costs levied, there shall be taxed as costs the sum of ~~five~~  
24 ~~dollars (\$5)~~ fifteen dollars (\$15) in the service of any  
25 papers or documents by the sheriff or any deputy sheriff  
26 arising out of any civil or quasi-civil proceeding at law or  
27 in equity, whether such proceeding is in any inferior court,

1 municipal court, district court, or circuit court and whether  
2 such proceeding is filed in or arising in any of the courts,  
3 or on appeal, certiorari, or otherwise to the district court  
4 or the circuit court. The costs shall be collected in the same  
5 manner as other costs in such cases in the respective courts.

6 "(b) In Clay County, in addition to all other fees  
7 or costs levied, there shall be taxed as costs the sum of five  
8 dollars (\$5) upon conviction in any criminal proceeding  
9 arising out of the commission of a misdemeanor or felony. The  
10 costs shall be collected in the same manner as other costs in  
11 such cases in the respective courts.

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

21 "(d) In Clay County, in addition to all other fees  
22 or costs levied, there shall be taxed as costs the sum of five  
23 dollars (\$5) in any criminal proceeding arising out of the  
24 violation of drug and controlled substances, whether felonious  
25 or misdemeanor, and, in any court located in the county,  
26 whether inferior court, municipal court, district court, or  
27 circuit court and whether such proceeding is filed in or

1 arising in any of the courts, or on appeal, certiorari, or  
2 otherwise to the district court or the circuit court. The  
3 costs shall be collected in the same manner as other costs in  
4 such cases in the respective courts.

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

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