

1 HB733
2 116283-3
3 By Representative Harper (N & P)
4 RFD: Local Legislation
5 First Read: 23-MAR-10

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Pickens County; to provide for a drug
14 enforcement fee in certain cases in the circuit, district, and
15 municipal courts; and to provide for the distribution of the
16 fee.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. In all juvenile, traffic, criminal, and
19 quasi-criminal cases in the juvenile, district, circuit, and
20 municipal courts in Pickens County, a docket fee, hereinafter
21 referred to as a drug enforcement fee, shall be assessed in
22 each case. The drug enforcement fee shall be in an amount
23 equal to twenty dollars (\$20) in each non-drug case,
24 seventy-five dollars (\$75) in each misdemeanor drug case, and
25 one hundred dollars (\$100) in each felony drug case. The fees,
26 when collected, shall be distributed monthly as follows: Five
27 dollars (\$5) of the fees assessed in each case shall be

1 retained by the clerk of the court as an administrative fee.
2 Ten dollars (\$10) of the fees assessed in each case in the
3 municipal courts shall be distributed to the appropriate fund
4 established by the chief of police of the municipality and
5 expended at his or her discretion for law enforcement
6 purposes. Ten dollars (\$10) assessed in each case in the
7 circuit or district court shall be distributed to the Pickens
8 County Sheriff's Law Enforcement Fund for law enforcement
9 purposes. The remainder of the fee shall be distributed to the
10 Drug Enforcement Fund established by the district attorney.

11 Section 2. The drug enforcement fee shall be
12 collected as prescribed in Section 1 in all cases where the
13 defendant is adjudged guilty, a bond forfeited, a penalty
14 imposed, or where there is issued any alias or capias warrant
15 of arrest, or in any other case where court costs are
16 assessed, whether a defendant is adjudged guilty or not. The
17 drug enforcement fee shall be in addition to and not in lieu
18 of any other fees or costs, and shall not be waived or
19 remitted unless all other costs and charges of court are
20 waived.

21 Section 3. The District Attorney for the 24th
22 Judicial Circuit shall establish a separate fund to be called
23 the Pickens County Drug Enforcement Fund. All sums collected
24 and deposited into the fund pursuant this act may be expended
25 by the district attorney for the support of the drug task
26 force that serves the 24th Judicial Circuit, including, but
27 not limited to, the payment of any and all expenses incurred

1 by the drug task force, the payment of any matching monies
2 required under the terms of any grant that may be awarded by
3 any governmental or other entity for the support of the drug
4 task force, the payment or supplementing of salaries for
5 personnel of the drug task force, or for any other law
6 enforcement purpose.

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