

1 SB504
2 121706-2
3 By Senators Dixon and Preuitt (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 04-MAR-10

1 SB504

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Elmore County; creating the Elmore
8 County Sheriff Service of Process Serving Fund; to further
9 provide for service of process in Elmore County; to provide
10 that the Sheriff of Elmore County may contract with or enter
11 into contract or agreement with a private, public, or
12 governmental entity for the purpose of service of process; to
13 set the fee for civil or criminal documents with certain
14 exceptions; and to provide for the disposition of funds.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. This act shall only apply to Elmore
17 County.

18 Section 2. The Elmore County Sheriff Service of
19 Process Serving Fund is created in the county treasury and
20 hereinafter referred to in this act as the "sheriff's fund."

21 Section 3. The Sheriff of Elmore County, except for
22 warrants for arrest, may contract with or enter into contract
23 or agreement with a private, public, or governmental entity
24 for the purpose of service of process.

1 Section 4. (a) In addition to all existing charges,
2 fees, judgments, and costs of court, the clerk, sheriff, or
3 other appropriate court official in the criminal division of
4 the district and circuit courts of Elmore County shall
5 increase the fees by twenty dollars (\$20) per document for the
6 fund.

7 (b) In addition to all existing charges, fees,
8 judgments, and costs of court, the clerk, sheriff, or other
9 appropriate court official in the civil division of the
10 district and circuit courts of Elmore County shall increase
11 the fees by twenty dollars (\$20) per document for the fund.

12 (c) The court official designated in Elmore County
13 by law for the respective courts shall collect the service of
14 process fee designated in subsections (a) and (b) and remit
15 the fees collected for deposit in the sheriff's fund. The
16 money in the fund shall be expended pursuant to agreement
17 between the sheriff and the county commission. The sheriff's
18 fund shall be audited by the Department of Examiners of Public
19 Accounts in the same manner as other county funds.

20 (d) The district attorney, law enforcement, and
21 grand juries shall be exempt from payment of the fee.

22 Section 5. The sheriff may use the monies generated
23 by this act for law enforcement purposes in Elmore County, as
24 the sheriff sees fit, including contracting with or entering
25 into a contract or agreement with a private, public, or

1 governmental entity for service of process of documents from
2 the civil or criminal division of the district or circuit
3 court. The funds shall not revert to the general fund of the
4 county at the end of the fiscal year.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB504

Senate 06-APR-10

I hereby certify that the within Act originated in and passed the Senate.

McDowell Lee
Secretary

House of Representatives
Amended and passed 13-APR-10

Senate concurred in House amendment 22-APR-10

By: Senator Dixon