

1 HB559
2 126133-4
3 By Representative Wallace (N & P)
4 RFD: Local Legislation
5 First Read: 27-APR-11

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Chilton County; to provide for the
14 assessment and collection of an additional court cost in
15 criminal, quasi-criminal, and traffic cases; and providing for
16 the distribution of the court cost.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. (a) In all criminal, quasi-criminal, and
19 traffic cases in district, circuit, and municipal courts in
20 Chilton County, there shall be taxed as costs an additional
21 ten dollars (\$10) in each case. The additional court costs
22 shall be collected in all cases where the defendant is
23 adjudged guilty, a bond forfeited, a penalty imposed, or where
24 there is issued any alias or capias warrant of arrest. The
25 court cost assessed and collected herein shall be in addition
26 to and not in lieu of any other fees or costs. The court cost
27 fee shall not be waived or remitted unless the defendant

1 proves to the reasonable satisfaction of the sentencing judge
2 that the defendant is not capable of paying the fee within the
3 reasonable foreseeable future.

4 (b) The court cost assessed by this section shall be
5 distributed monthly to the Public Safety Technology Fund,
6 which shall be created in the county treasury. The fund shall
7 be administered by the District Attorney of Chilton County.
8 The moneys disbursed from the fund may be used by the chief of
9 police, Director of Public Safety, or sheriff of the
10 appropriate law enforcement agency for legitimate law
11 enforcement technology or communication purposes. The funds
12 may not be used for salaries or employee benefits.

13 (c) The Public Safety Technology Fund shall be
14 disbursed annually no later than the 15th of November of each
15 year expended only upon approval by the district attorney or
16 his or her designee.

17 (d) The Public Safety Technology Fund will provide
18 supplemental funding for any municipal or county law
19 enforcement agency in Chilton County that employs a minimum of
20 five full-time sworn law enforcement officers.

21 (e) The district attorney shall retain annually an
22 administrative cost totaling 20 percent of the gross revenues
23 of the fund for the preceding fiscal year. The district
24 attorney shall retain 10 percent for the operation of his or
25 her office, and he or she shall distribute the remaining 10
26 percent as follows: Five percent to the Chilton County Circuit
27 Clerk's Office and five percent to be divided equally between

1 all municipalities meeting the requirements in subsection (d)
2 for the operation of each municipal court office.

3 (f) The Public Safety Technology Fund, less the 20
4 percent that is retained by the district attorney pursuant to
5 subsection (e), shall be divided by the total number of
6 full-time sworn law enforcement officers employed at each
7 participating agency each year and that number of full-time
8 officers shall be multiplied by the total number of gainfully
9 employed sworn law enforcement officers at each authorized
10 agency each year.

11 (g) The establishment of the Public Safety
12 Technology Fund as provided in this act and the use of the
13 funds shall in no way diminish or take the place of any other
14 sources of income established for the chief of police,
15 Director of Public Safety, or the sheriff for the operation of
16 his or her office.

17 Section 2. 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.