

1 HB503
2 138760-1
3 By Representative Millican
4 RFD: Ways and Means General Fund
5 First Read: 08-MAR-12

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8 SYNOPSIS: Under existing law, Act 720 of the 1978
9 Regular Session, relating to the 25th Judicial
10 Circuit and providing for additional court costs in
11 the judicial circuit for a Public Defender Fund and
12 office in the circuit was repealed by Act 2011-576,
13 because the fund and the office were no longer
14 operative.

15 This bill would provide that any funds
16 accruing after the fund was no longer operative or
17 after the effective date of Act 2011-576 would be
18 distributed to the circuit clerks in the counties
19 and any prior distributions would be ratified.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT

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25 To amend Section 1 of Act 2011-576 of the 2011
26 Regular Session, repealing Act 720 of the 1978 Regular
27 Session, relating to the 25th Judicial Circuit and providing

1 for additional court costs in the judicial circuit for a
2 Public Defender Fund and office, to further provide for the
3 distribution to the circuit of certain funds accruing to the
4 fund after the fund was no longer operative and retroactively
5 ratifying any distributions to the circuit clerks prior to the
6 effective date of this act.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 1 of Section 2011-576 of the 2011
9 Regular Session is amended to read as follows:

10 "(a) In the 25th Judicial Circuit composed of Marion
11 County and Winston County, any court costs assessed pursuant
12 to Act 720 of the 1978 Regular Session (Acts 1978, p. 1035)
13 prior to the effective date of Act 2011-576 of the 2011
14 Regular Session, which repealed Act 720, and which were
15 collected after the effective date of Act 2011-576 pursuant to
16 assessment as provided above for distribution to the public
17 defender fund of each county, shall be distributed to the
18 circuit clerk's fund of the respective counties.

19 "(b) Any court costs assessed pursuant to Act 720 of
20 the 1978 Regular Session (Acts 1978, p. 1035), in the 25th
21 Judicial Circuit, prior to the effective date of Act 2011-576
22 of the 2011 Regular Session, which repealed Act 720, and which
23 were collected after the effective date of Act 2011-576
24 pursuant to assessment as provided above for distribution to
25 the public defender fund of each county in the circuit, shall
26 be distributed to the circuit clerk's fund of the respective
27 counties in the circuit.

1 "(c) In addition, the distribution of any funds
2 collected pursuant to Act 720 prior to the effective date of
3 Act 2011-576 which were distributed after the public defender
4 fund was no longer operable by order of the presiding circuit
5 court judge or otherwise are retroactively ratified and
6 confirmed as to the distribution to the respective circuit
7 clerk's funds in the circuit."

8 Section 2. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.