

1 HB580  
2 138760-1  
3 By Representative Millican  
4 RFD: Judiciary  
5 First Read: 20-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12 office in the circuit was repealed by Act 2011-576,  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

24  
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14 Regular Session, which repealed Act 720, and which were  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22 of the 2011 Regular Session, which repealed Act 720, and which  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.