

1 SB369  
2 146720-1  
3 By Senator Dial (N & P)  
4 RFD: Local Legislation No. 1  
5 First Read: 04-APR-13

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the Clay County  
9 Commission is authorized to impose a fee up to \$50  
10 on each civil and criminal case filed in the  
11 circuit or district court, or any municipal court  
12 in Clay County.

13 This bill would remove the Clay County  
14 Commission's authorization to impose this fee on  
15 any case filed in a municipal court in Clay County  
16 and authorize the governing body of a municipality  
17 to impose the same fee on each civil and criminal  
18 case filed in the municipal court.

19 This bill would also provide that the  
20 municipal court fee would be retained by the  
21 municipality where collected.

22  
23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
26

1                   Relating to Clay County; to amend Section  
2                   45-14-80.03 relating to court costs; to provide that a  
3                   municipality in Clay County may assess a fee on any case filed  
4                   in the municipal court; and to provide that the municipal  
5                   court fee would be retained by the municipality where  
6                   collected.

7                   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8                   Section 1. Section 45-14-80.03, Code of Alabama  
9                   1975, is amended to read as follows:

10                   "§45-14-80.03.

11                   "(a) In addition to any court costs and fees now or  
12                   hereafter authorized in Clay County, the Clay County  
13                   Commission may impose by resolution of the commission an  
14                   additional fee in an amount not to exceed fifty dollars (\$50)  
15                   to be assessed and taxed as costs on each civil case and on  
16                   each criminal case, including traffic cases, filed in the  
17                   circuit court, or district court, ~~or any municipal court~~ in  
18                   Clay County. These fees shall not be waived by any court  
19                   unless all other fees, assessments, costs, fines, and charges  
20                   associated with the case are waived.

21                   (b) In addition to any court costs and fees now or  
22                   hereafter authorized in Clay County, the governing body of any  
23                   municipality in Clay County may impose by resolution of the  
24                   governing body an additional fee in an amount not to exceed  
25                   fifty dollars (\$50) to be assessed and taxed as costs on each  
26                   civil case and on each criminal case, including traffic cases,  
27                   filed in the municipal court. These fees shall not be waived

1 by any court unless all other fees, assessments, costs, fines,  
2 and charges associated with the case are waived.

3 "~~(b)~~ (c) When collected by the clerk of the district  
4 or circuit court or ~~his or her~~ court collection officers, the  
5 additional fees shall be paid into the General Fund of Clay  
6 County. When collected by the municipal court, the additional  
7 fees shall be paid to the general fund of the municipality  
8 where collected."

9 Section 2. This act shall become effective on the  
10 first day of the third month following its passage and  
11 approval by the Governor, or its otherwise becoming law.