

1 SB396
2 147538-1
3 By Senator Pittman (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 04-APR-13

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Baldwin County; providing that the
14 offices of judge of probate and revenue commissioner shall not
15 be assessed for monetary loss resulting from the performance
16 of official duties for errors or mistakes made in good faith,
17 up to a certain annual maximum amount per office.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. The office of Revenue Commissioner and
20 the office of Judge of Probate of Baldwin County shall not be
21 assessed any monetary loss, up to a total of two thousand five
22 hundred dollars (\$2,500) per office, per annum, arising or
23 caused by error if the mistake or omission was caused without
24 the personal knowledge of the officer, including loss arising
25 from acceptance of worthless or forged checks, drafts, money
26 orders, or other written orders for money or its equivalent.

1 Section 2. It shall be the duty of the revenue
2 commissioner and the judge of probate to insure that the
3 employees of the respective offices exercise due care in
4 performing their required duties and make a diligent effort to
5 correct the error, mistake, or omission. The respective
6 officers shall make a good faith effort to collect the amount
7 subject to potential loss immediately upon becoming aware of
8 the potential loss.

9 Section 3. This act shall not apply to any
10 deliberate misuse or misappropriation of funds by the revenue
11 commissioner or judge of probate, or by any clerk or any
12 employee of the respective offices.

13 Section 4. The revenue commissioner or judge or
14 probate or any official, any clerk, or any employee of the
15 respective offices shall not be liable for worthless checks if
16 the respective officers make a good faith effort to collect on
17 the worthless checks.

18 Section 5. The provisions of this act are severable.
19 If any part of this act is declared invalid or
20 unconstitutional, that declaration shall not affect the part
21 which remains.

22 Section 6. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.