

1 HB172
2 151053-1
3 By Representative Hill (N & P)
4 RFD: Shelby County Legislation
5 First Read: 14-JAN-14

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Pelham in Shelby County; to
14 provide under certain conditions for the assessment of a
15 prisoner transport fee on a prisoner for expenses incurred in
16 transporting a prisoner, due to an outstanding misdemeanor
17 warrant, to the municipal jail for the City of Pelham.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) Notwithstanding any law to the
20 contrary, the Municipal Court of the City of Pelham in Shelby
21 County may assess a prisoner transport fee against a defendant
22 for expenses incurred in transporting the defendant on an
23 Pelham Municipal Court misdemeanor warrant from another
24 municipal jail, county jail, or a state detention facility to
25 the municipal jail for the City of Pelham.

26 (b) The fee provided in this act may be assessed in
27 all criminal cases by the municipal judge when a transport is

1 required as described in subsection (a), and may be collected
2 only when a defendant is adjudicated guilty or pleads guilty
3 on or after the effective date of this act. The prisoner
4 transport fee shall be collected from the defendant as court
5 costs and other fees are collected.

6 (c) Assessment of a prisoner transport fee by the
7 municipal court is permitted only when transport of a
8 defendant is required from outside the police jurisdiction of
9 the City of Pelham, but within the State of Alabama.

10 (d) If assessed pursuant to this act, a prisoner
11 transport fee for transportation expenses incurred shall be
12 determined by the municipal court at the time a defendant is
13 adjudicated guilty or pleads guilty. The fee shall be based on
14 the total distance that the defendant is transported, accord-
15 ing to the following schedule:

Distance Transported	Transport Fee Charge
Less than 39 miles round trip	\$100
40 miles to 99 miles round trip	\$200
100 miles to 200 miles round trip	\$250
Greater than 200 miles round trip	\$300

21 Section 2. All fees received by the City of Pelham
22 Municipal Court for the prisoner transport fee shall be
23 deposited into the City of Pelham General Fund and allocated

1 in conformity with subsection (a) of Section 11-47-7.1 of the
2 Code of Alabama 1975.

3 Section 3. The provisions of this act are severable.
4 If any part of this act is declared invalid or
5 unconstitutional, that declaration shall not affect the part
6 which remains.

7 Section 4. All laws or parts of laws which conflict
8 with this act are repealed.

9 Section 5. This act shall become effective
10 immediately following its passage and approval by the
11 Governor, or its otherwise becoming law.