

1 HB393  
2 156255-1  
3 By Representatives McMillan, Baker and Davis (N & P)  
4 RFD: Baldwin County Legislation  
5 First Read: 04-FEB-14

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Baldwin County; to amend Sections  
14 45-2-80.81, 45-2-80.82, and 45-2-80.83 of the Code of Alabama  
15 1975, relating to court costs in the circuit court or juvenile  
16 court; to increase the court costs and further provide for the  
17 distribution for the law library and for judicial  
18 administration.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Sections 45-2-80.81, 45-2-80.82, and  
21 45-2-80.83 of the Code of Alabama 1975, are amended to read as  
22 follows:

23 "§45-2-80.81.

24 "In order to provide a special fund for the creation  
25 and maintenance of the library and for the purposes of  
26 judicial administration as further specified in this subpart,  
27 there shall be taxed as costs the sum of ~~nine dollars fifty~~

1 ~~cents (\$9.50)~~ fifteen dollars (\$15) in each civil or  
2 quasi-civil action at law, suit in equity, criminal case,  
3 quasi-criminal case, juvenile court case, proceeding on a  
4 forfeited bond bail, or a proceeding on a forfeited bond given  
5 in connection with an appeal from a judgment of conviction in  
6 any district or municipal court to each circuit court or to  
7 the juvenile court hereinafter filed in, arising in, or  
8 brought by appeal, certiorari, or otherwise to the Circuit  
9 Court or to the Juvenile Court of Baldwin County. The costs  
10 shall be collected as other costs in cases are collected by  
11 the clerk of the court and shall be paid to the Baldwin County  
12 Commission.

13 "§45-2-80.82.

14 "There also shall be taxed as costs the sum of ~~nine~~  
15 ~~dollars fifty cents (\$9.50)~~ fifteen dollars (\$15) in each  
16 criminal case and civil case, including any juvenile court  
17 case, hereafter filed in the District Court of Baldwin County,  
18 including any case in which the district court sits as the  
19 juvenile court. The costs shall be collected as other costs  
20 are collected, and shall be paid to the Baldwin County  
21 Commission.

22 "§45-2-80.83.

23 "The sums to be paid to the Baldwin County  
24 Commission, as herein provided, shall be kept in a special  
25 fund designated as the Baldwin County Law Library and Judicial  
26 Administration Fund and shall be expended by the Presiding  
27 Circuit Judge of the Circuit Court of Baldwin County, to

1 create, establish, and maintain the law library and to provide  
2 for the more effective administration of justice, including,  
3 but not limited to: Paying the costs of securing the advice  
4 and attendance of witnesses; registration fees and other  
5 actual expenses incurred in attending seminars, institutes,  
6 conferences, and other meetings in connection with continuing  
7 legal and judicial education, membership fees, or dues in  
8 legal and judicial organizations; paying the salaries of court  
9 employees when necessary for the efficient operation of the  
10 courts; and any other actual and necessary expenses incurred  
11 by the judges of the circuit in promoting legal and judicial  
12 competency. The presiding circuit judge shall draw warrants on  
13 the county for expenditures by indicating on the warrants the  
14 funds against which the warrants are to be drawn. ~~Three~~  
15 ~~dollars twenty cents (\$3.20)~~ One dollar fifty cents (\$1.50)  
16 from each fee in the fund shall be used primarily to purchase  
17 books, periodicals, and other library fixtures and equipment  
18 as, in the opinion of the presiding circuit judge, may be  
19 advisable, but to the extent not so used the funds may be  
20 otherwise expended for the maintenance of the library. ~~Six~~  
21 ~~dollars thirty cents (\$6.30)~~ Thirteen dollars fifty cents  
22 (\$13.50) from each fee in the fund shall be used for the  
23 purposes of judicial administration as provided in this  
24 section. The management of the law library is and shall be  
25 vested in the Presiding Judge of the Circuit Court of Baldwin  
26 County, and all books, periodicals, reports, and other  
27 property purchased with the funds produced by this subpart

1 shall be the property of Baldwin County. The presiding judge  
2 may from time to time sell or exchange the books, reports,  
3 periodicals, and personal property as may be necessary to keep  
4 the library up to date and apply the proceeds of the sale  
5 thereof or the value thereof upon the purchase of other books,  
6 reports, periodicals, and personal property for use in the  
7 library. The presiding judge of the circuit court may accept  
8 any gift or loan of any books, reports, periodicals, and other  
9 property for public use in the library upon the terms and  
10 conditions as may be stipulated by the donor or lender thereof  
11 and as may be agreeable to the judge. The presiding circuit  
12 judge may designate the clerk of the circuit court or any  
13 other suitable person to operate or assist in the operation of  
14 the library. The funds established by this subpart shall be  
15 audited in the same manner as other county funds are audited."

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