- 1 HB367
- 2 163351-2
- 3 By Representatives Ingram, Sells and Polizos (N & P)
- 4 RFD: Montgomery County Legislation
- 5 First Read: 31-MAR-15

1	ENGROSSED
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to Montgomery County; to provide for
9	service of process in Montgomery County; to increase the fee
10	for civil or criminal documents with certain exceptions; and
11	to provide for the disposition of funds.
12	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
13	Section 1. This act shall only apply to Montgomery
14	County.
15	Section 2. (a) In addition to all existing charges,
16	fees, judgments, and costs of court, in the criminal division
17	of the district and circuit courts of Montgomery County, an
18	additional one-time service of process fee of thirty dollars
19	(\$30) per document shall be imposed.
20	(b) In addition to all existing charges, fees,
21	judgments, and costs of court, in the civil division of the
22	district and circuit courts of Montgomery County, an
23	additional one-time service of process fee of thirty dollars
24	(\$30) per document shall be imposed.
25	(c) The court official designated in Montgomery
26	County by law for the respective courts shall collect the
27	service of process fee designated in subsections (a) and (b)

1 and shall remit the fees collected as follows: Ten percent of 2 each fee shall be retained by the circuit clerk and deposited in the circuit clerk's fund or similar fund to be used for the 3 operation of the circuit clerk's office and the remainder of the fee shall be distributed to the Montgomery County 5 6 Commission to be deposited in the county general fund. 7 Notwithstanding the foregoing, the fee shall not be imposed and collected if the court finds payment of the fee will 8 create a substantial hardship. A verified statement signed by 9 10 the person requesting service and approved by the court 11 attesting the substantial hardship shall be filed with the 12 clerk of the court.

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(d) The district attorney, law enforcement, and grand juries shall be exempt from payment of the fees provided in this act.

Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Montgomery County Legislation
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9 10 11	Read for the second time and placed on the calendar 1 amendment 05-MAY-15
12 13	Read for the third time and passed as amended 12-MAY-15
14	Yeas 17, Nays 0, Abstains 74
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16 17 18	Jeff Woodard Clerk