

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

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ENROLLED, An Act,

Relating to Montgomery County; to provide for service of process in Montgomery County; to increase the fee for civil or criminal documents with certain exceptions; and to provide for the disposition of funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall only apply to Montgomery County.

Section 2. (a) In addition to all existing charges, fees, judgments, and costs of court, in the criminal division of the district and circuit courts of Montgomery County, an additional one-time service of process fee of thirty dollars (\$30) per document shall be imposed.

(b) In addition to all existing charges, fees, judgments, and costs of court, in the civil division of the district and circuit courts of Montgomery County, an additional one-time service of process fee of thirty dollars (\$30) per document shall be imposed.

(c) The court official designated in Montgomery County by law for the respective courts shall collect the service of process fee designated in subsections (a) and (b) and shall remit the fees collected as follows: Ten percent of 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

1 operation of the circuit clerk's office and the remainder of  
2 the fee shall be distributed to the Montgomery County  
3 Commission to be deposited in the county general fund.  
4 Notwithstanding the foregoing, the fee shall not be imposed  
5 and collected if the court finds payment of the fee will  
6 create a substantial hardship. A verified statement signed by  
7 the person requesting service and approved by the court  
8 attesting the substantial hardship shall be filed with the  
9 clerk of the court.

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

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

