

1 HB273
2 172321-2
3 By Representative Beech (N & P)
4 RFD: Local Legislation
5 First Read: 23-FEB-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Washington County; to establish a
14 service of process fee for the service or attempted service of
15 documents by the Washington County Sheriff's Office in the
16 civil division of the circuit and district courts with certain
17 exceptions; to provide for the distribution of the fees; and
18 to establish the Washington County Sheriff's Law Enforcement
19 Fund for the disposition of service of process fees.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. This act shall only apply to Washington
22 County.

23 Section 2. (a) (1) In addition to all other charges,
24 fees, judgments, and costs of court, in the civil division of
25 the district and circuit courts of Washington County, a
26 service of process fee of twenty-five dollars (\$25) shall be
27 collected for service or attempted service of process by the

1 sheriff on each document requiring personal service of
2 process.

3 (2) A service of process fee of fifty dollars (\$50)
4 shall be collected for service or attempted service of process
5 by the sheriff for matters pending or to be commenced in a
6 court outside of the State of Alabama.

7 (b) A Sheriff's Law Enforcement Fund shall be
8 created, and the funds shall be expended at the discretion of
9 the Sheriff of Washington County for law enforcement purposes
10 in the interest of the public as the sheriff sees fit.

11 (c) The clerk of the court or designee in Washington
12 County by law for the respective courts shall collect the
13 service of process fee designated in subsections (a) and (b),
14 and shall remit the fee as follows: Ten dollars (\$10) of each
15 service of process fee collected shall be distributed to the
16 Circuit Clerk's Fund to be used for the operation of the
17 clerk's office, and the remainder of the fee shall be
18 deposited in the Washington County Law Enforcement Fund to be
19 used for law enforcement purposes.

20 (d) The Sheriff's Law Enforcement Fund shall be an
21 additional fund separate from the budget of the sheriff as
22 provided for in the county general fund. The fees deposited
23 into the Sheriff's Law Enforcement Fund shall not diminish,
24 offset, or take the place of budgeted funds or any other
25 source of income established for the sheriff or for the
26 operation of the office of the sheriff.

1 (e) The district attorney, law enforcement, grand
2 juries, and Washington County shall be exempt from payment of
3 the fees provided for in this act.

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