

1 SB382
2 185432-1
3 By Senators Shelnutt and Stutts (N & P)
4 RFD: Local Legislation, Jefferson County
5 First Read: 20-APR-17

2
3
4
5
6
7
8
9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to the City of Fultondale in Jefferson
14 County; to provide for a warrant recall fee to allow a
15 municipal magistrate or municipal judge for the City of
16 Fultondale to recall, under certain conditions, a failure to
17 appear warrant.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) Notwithstanding any law to the
20 contrary, a municipal judge or a municipal magistrate of the
21 City of Fultondale in Jefferson County, Alabama, may assess a
22 defendant with a warrant recall fee that shall be paid in
23 order for a municipal judge or magistrate to recall a failure
24 to appear warrant arising from any municipal ordinance
25 violation against the City of Fultondale.

1 (b) The warrant recall fee shall not exceed one
2 hundred dollars (\$100) and is to be paid by the defendant at
3 the time the warrant is recalled.

4 (c) Nothing herein shall be construed to require the
5 City of Fultondale to recall a warrant that has been issued.
6 All orders to recall a warrant shall be issued solely in the
7 discretion of the municipal judge or magistrate.

8 Section 2. All fees received by the City of
9 Fultondale Municipal Court for the warrant recall fee shall be
10 deposited into the City of Fultondale Corrections Fund and
11 allocated in conformity with subsection (a) of Section
12 11-47-7.1 of the Code of Alabama 1975.

13 Section 3. The provisions of this act are severable.
14 If any part of this act is declared invalid or
15 unconstitutional, that declaration shall not affect the part
16 which remains.

17 Section 4. This act shall become effective
18 immediately following its passage and approval by the
19 Governor, or its otherwise becoming law.