

1 HB422  
2 208692-4  
3 By Representative Rich (N & P)  
4 RFD: Local Legislation  
5 First Read: 23-FEB-21



1 County Law Library, Judicial Technology, and Judicial  
2 Administration Fund.

3 (b) In addition to any other fees paid, including,  
4 but not limited to, those paid pursuant to Section 11-25-9 of  
5 the Code of Alabama 1975, there shall be taxed as additional  
6 court costs the sum of ten dollars (\$10) in each case in the  
7 circuit court or district court in the county, including the  
8 juvenile, family, and small claims court. The costs shall be  
9 collected as other costs are collected by the clerk of the  
10 court and shall be disbursed by the clerk to a special fund to  
11 be designated as the Marshall County Law Library, Judicial  
12 Technology, and Judicial Administration Fund to be maintained  
13 in a Federal Deposit Insurance Corporation (FDIC) insured  
14 financial institution designated by the presiding circuit  
15 judge.

16 (c) The Marshall County Law Library, Judicial  
17 Technology, and Judicial Administration Fund shall be expended  
18 by the presiding circuit judge of the circuit court of  
19 Marshall County to establish and maintain the law library,  
20 procure technology and data backup, and otherwise provide for  
21 more effective administration of justice and efficient  
22 operation of the courts through expenditures for equipment,  
23 training, personnel, and other court related needs as provided  
24 in Section 11-25-13 of the Code of Alabama 1975.

25 (d) The management of the law library shall be  
26 vested in the presiding judge of the circuit court. All books,  
27 periodicals, reports, and other property purchased with the

1 funds provided by this act shall be the property of Marshall  
2 County. The presiding circuit judge, from time to time, may  
3 sell or exchange the books, reports, periodicals, and other  
4 personal property as may be necessary to keep the library up  
5 to date and apply the proceeds of the sale thereof or the  
6 value thereof upon the purchase of other books, reports,  
7 periodicals, and personal property for use in the library. The  
8 presiding circuit judge may designate another judge or any  
9 other suitable person to operate or assist in the operation of  
10 the library.

11 (e) The fund established by this section shall be  
12 audited in the same manner as other county funds are audited.

13 (f) Any court costs for the law library purposes in  
14 the county assessed and paid pursuant to any local act are  
15 superseded by this section.

16 (g) Any funds in the existing Marshall County Law  
17 Library, Judicial Technology, and Judicial Administration Fund  
18 held by the county shall be transferred to the Marshall County  
19 Law Library, Judicial Technology, and Judicial Administration  
20 Fund established in this section and shall be expended as  
21 provided in this section.

22 Section 2. (a) In Marshall County, the Presiding  
23 Circuit Judge's Judicial Administration Fund provided for in  
24 Section 12-19-310(d) of the Code of Alabama 1975, is  
25 reestablished as provided in this section for the purpose of  
26 supporting the efficient operation of local courts and for the  
27 promotion of the administration of justice.

1           (b) After the effective date of this act, the docket  
2 fees assessed and collected by the court clerks within  
3 Marshall County and disbursed to the Presiding Circuit Judge's  
4 Judicial Administration Fund as it existed on the effective  
5 date of this act shall be disbursed by the court clerks on a  
6 monthly basis as other costs and fees are distributed to a  
7 special fund reestablished and designated as the Presiding  
8 Circuit Judge's Judicial Administration Fund. The fund shall  
9 be maintained in a Federal Deposit Insurance Corporation  
10 (FDIC) insured financial institution designated by the  
11 presiding circuit judge. Funds distributed pursuant to this  
12 subsection shall not reduce any amounts payable under the  
13 jurisdiction of the presiding circuit judge under any local  
14 act or general act or reduce or affect the amounts of funding  
15 allocated by the Administrative Office of Courts to the budget  
16 of the presiding circuit judge.

17           (c) The Presiding Circuit Judge's Judicial  
18 Administrative Fund shall be expended by the presiding circuit  
19 judge of the Circuit Court of Marshall County to support local  
20 court operations, including, but not limited to, salaries and  
21 benefits of court employees where necessary for the efficient  
22 operations of the courts in the circuit, and for other  
23 expenses as determined necessary by the presiding circuit  
24 judge, including, but not limited to, those provided in  
25 Section 11-25-13 of the Code of Alabama 1975.

26           (d) The fund established in this section shall be  
27 audited in the same manner as other state funds are audited.

1 (e) Any fees provided prior to the effective date of  
2 this section for the purpose of funding the Presiding Circuit  
3 Judge's Judicial Administration Fund in the county are  
4 continued and shall be distributed to the Presiding Judge's  
5 Judicial Administration Fund as provided by this act.

6 (f) All laws or parts of laws which conflict with  
7 this act are repealed.

8 (g) Any funds in the existing Presiding Circuit  
9 Judge's Judicial Administration Fund held by the county shall  
10 be transferred to the Presiding Circuit Judge's Judicial  
11 Administration Fund as reestablished in this section and shall  
12 be expended as provided in this act.

13 Section 3. (a) Funds in the Law Library, Judicial  
14 Technology, and Judicial Administration Fund and the Presiding  
15 Circuit Judge's Judicial Administration Fund shall be held in  
16 a Federal Deposit Insurance Corporation (FDIC) insured  
17 financial institution designated by the presiding circuit  
18 judge. Any earnings from the funds may be expended as provided  
19 in this act.

20 (b) Requests for expenditures from the Law Library,  
21 Judicial Technology, and Judicial Administration Fund or the  
22 Presiding Circuit Judge's Judicial Administration Fund shall  
23 be made in writing and submitted to the presiding circuit  
24 judge.

25 (c) Expenditures from the Law Library, Judicial  
26 Technology, and Judicial Administration Fund and the Presiding  
27 Circuit Judge's Judicial Administration Fund shall be

1 negotiable instruments signed by the presiding circuit judge  
2 and one of the other judges of the 27th Judicial Circuit.

3 Section 4. All laws or parts of laws which conflict  
4 with this act are repealed. Act 426 of the 1973 Regular  
5 Session (Acts 1973, p. 619), ~~is~~ and Act 2008-505 of the 2008  
6 Regular Session (Acts 2008, p. 1117), now appearing as Section  
7 45-48-80.02 of the Code of Alabama 1975, are expressly  
8 repealed.

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

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Local Legisla-  
tion..... 23-FEB-21

Read for the second time and placed  
on the calendar 1 amendment ..... 04-MAR-21

Read for the third time and passed  
as amended..... 09-MAR-21

Yeas 24, Nays 0, Abstains 73

Jeff Woodard  
Clerk