

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

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Marshall County; to provide for
14 additional court costs in all cases in the circuit and
15 district courts; to provide for the deposit of the additional
16 court costs in the Law Library, Judicial Technology, and
17 Judicial Administration Fund to be used as determined by the
18 presiding judge of the circuit court; to reestablish the
19 Presiding Circuit Judge's Judicial Administration Fund; to
20 provide for the transfer of monies to the Law Library,
21 Judicial Technology, and Judicial Administration Fund and the
22 Presiding Circuit Judge's Judicial Administration Fund
23 provided for in this act; to provide administration and
24 accounting of the funds; and to repeal Act 426 of the 1973
25 Regular Session (Acts 1973, p. 619).

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) In Marshall County, in order to
2 provide a special fund for the creation and maintenance of the
3 law library, for the improvement of judicial technology, and
4 for judicial administration, there is established the Marshall
5 County Law Library, Judicial Technology, and Judicial
6 Administration Fund.

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

20 (c) The Marshall County Law Library, Judicial
21 Technology, and Judicial Administration Fund shall be expended
22 by the presiding circuit judge of the circuit court of
23 Marshall County to establish and maintain the law library,
24 procure technology and data backup, and otherwise provide for
25 more effective administration of justice and efficient
26 operation of the courts through expenditures for equipment,

1 training, personnel, and other court related needs as provided
2 in Section 11-25-13 of the Code of Alabama 1975.

3 (d) The management of the law library shall be
4 vested in the presiding judge of the circuit court. All books,
5 periodicals, reports, and other property purchased with the
6 funds provided by this act shall be the property of Marshall
7 County. The presiding circuit judge, from time to time, may
8 sell or exchange the books, reports, periodicals, and other
9 personal property as may be necessary to keep the library up
10 to date and apply the proceeds of the sale thereof or the
11 value thereof upon the purchase of other books, reports,
12 periodicals, and personal property for use in the library. The
13 presiding circuit judge may designate another judge or any
14 other suitable person to operate or assist in the operation of
15 the library.

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

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

21 (g) Any funds in the existing Marshall County Law
22 Library, Judicial Technology, and Judicial Administration Fund
23 held by the county shall be transferred to the Marshall County
24 Law Library, Judicial Technology, and Judicial Administration
25 Fund established in this section and shall be expended as
26 provided in this section.

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

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

23 (c) The Presiding Circuit Judge's Judicial
24 Administrative Fund shall be expended by the presiding circuit
25 judge of the Circuit Court of Marshall County to support local
26 court operations, including, but not limited to, salaries and
27 benefits of court employees where necessary for the efficient

1 operations of the courts in the circuit, and for other
2 expenses as determined necessary by the presiding circuit
3 judge, including, but not limited to, those provided in
4 Section 11-25-13 of the Code of Alabama 1975.

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

7 (e) Any fees provided prior to the effective date of
8 this section for the purpose of funding the Presiding Circuit
9 Judge's Judicial Administration Fund in the county are
10 continued and shall be distributed to the Presiding Judge's
11 Judicial Administration Fund as provided by this act.

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

14 (g) Any funds in the existing Presiding Circuit
15 Judge's Judicial Administration Fund held by the county shall
16 be transferred to the Presiding Circuit Judge's Judicial
17 Administration Fund as reestablished in this section and shall
18 be expended as provided in this act.

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

26 (b) Requests for expenditures from the Law Library,
27 Judicial Technology, and Judicial Administration Fund or the

1 Presiding Circuit Judge's Judicial Administration Fund shall
2 be made in writing and submitted to the presiding circuit
3 judge.

4 (c) Expenditures from the Law Library, Judicial
5 Technology, and Judicial Administration Fund and the Presiding
6 Circuit Judge's Judicial Administration Fund shall be
7 negotiable instruments signed by the presiding circuit judge
8 and one of the other judges of the 27th Judicial Circuit.

9 Section 4. All laws or parts of laws which conflict
10 with this act are repealed. Act 426 of the 1973 Regular
11 Session (Acts 1973, p. 619), is expressly repealed.

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