

1 HB345
2 216055-2
3 By Representative Hill (N & P)
4 RFD: Local Legislation
5 First Read: 15-FEB-22

1
2 ENROLLED, An Act,

3 Relating to St. Clair County; to establish a service
4 of process fee for the service or attempted service of
5 documents by the St. Clair County Sheriff's Office in the
6 civil and criminal divisions of the circuit and district court
7 with certain exceptions; to provide for the distribution of
8 the fees; and to establish the St. Clair County Sheriff's
9 Service of Process Fee Fund for the disposition of service of
10 process fees.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. This act shall only apply to St. Clair
13 County.

14 Section 2. (a) (1) In addition to all other charges,
15 fees, judgments, and costs of court, in the civil division and
16 in the criminal division of the district court and the circuit
17 court of St. Clair County, a service of process fee of
18 twenty-five dollars (\$25) shall be collected for service or
19 attempted service of process on each document requiring
20 personal service of process by the sheriff for matters pending
21 or to be commenced in a court in St. Clair County.

22 (2) A service of process fee of fifty dollars (\$50)
23 shall be collected for service or attempted service of process
24 on each document requiring personal service of process by the

1 sheriff for matters pending or to be commenced in a court
 2 outside of St. Clair County.

3 (b) The St. Clair County Sheriff's Service of
 4 Process Fee Fund is hereby created to supplement the budget of
 5 the St. Clair County Sheriff's Office. The fund shall be used
 6 for law enforcement purposes in the county.

7 (c) (1) The clerk of the court or his or her designee
 8 in St. Clair County by law for the respective divisions of
 9 courts and courts shall collect the service of process fee
 10 provided in subsection (a) and distribute the fee to the St.
 11 Clair County Sheriff's Service of Process Fee Fund to be held
 12 and administered by the St. Clair County Commission.

13 (2) Notwithstanding the foregoing, the fee may not
 14 be imposed and collected if the court finds payment of the fee
 15 will create a substantial hardship. A verified statement
 16 signed by the person requesting service and approved by the
 17 court attesting the substantial hardship shall be filed with
 18 the clerk of the court.

19 (d) The St. Clair County Sheriff's Service of
 20 Process Fee Fund shall be an additional fund separate from the
 21 budget of the sheriff as provided for in the county general
 22 fund.

23 (e) St. Clair County and its district attorney, law
 24 enforcement officials, and its grand juries shall be exempt
 25 from payment of the fees provided for in this section.

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

