

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

A BILL  
TO BE ENTITLED  
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

Section 2. (a) (1) In addition to all other charges, fees, judgments, and costs of court, in the civil division and in the criminal division of the district court and the circuit court of St. Clair County, a service of process fee of

1 twenty-five dollars (\$25) shall be collected for service or  
2 attempted service of process on each document requiring  
3 personal service of process by the sheriff for matters pending  
4 or to be commenced in a court in St. Clair County.

5 (2) A service of process fee of fifty dollars (\$50)  
6 shall be collected for service or attempted service of process  
7 on each document requiring personal service of process by the  
8 sheriff for matters pending or to be commenced in a court  
9 outside of St. Clair County.

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

14 (c) (1) The clerk of the court or his or her designee  
15 in St. Clair County by law for the respective divisions of  
16 courts and courts shall collect the service of process fee  
17 provided in subsection (a) and distribute the fee to the St.  
18 Clair County Sheriff's Service of Process Fee Fund to be held  
19 and administered by the St. Clair County Commission.

20 (2) Notwithstanding the foregoing, the fee may not  
21 be imposed and collected if the court finds payment of the fee  
22 will create a substantial hardship. A verified statement  
23 signed by the person requesting service and approved by the  
24 court attesting the substantial hardship shall be filed with  
25 the clerk of the court.

26 (d) The St. Clair County Sheriff's Service of  
27 Process Fee Fund shall be an additional fund separate from the

1 budget of the sheriff as provided for in the county general  
2 fund.

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

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