

1 SB203
2 218669-4
3 By Senators Orr, Chesteen, Sessions, Weaver, Waggoner, Jones,
4 Williams, Holley, Hatcher, Roberts and Singleton
5 RFD: Governmental Affairs
6 First Read: 09-FEB-22

1 SB203

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4 ENROLLED, An Act,

5 Relating to municipal fines and fees; to require the
6 Administrative Office of Courts to annually collect data on
7 municipal courts; to require municipal courts to provide data
8 to the Administrative Office of Courts; to require municipal
9 courts to utilize the Alabama state judicial information
10 system; to require the Administrative Office of Courts to
11 provide training and resources to municipal courts for certain
12 uses; and to provide for penalties.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. This act shall apply to municipalities
15 with a municipal court established pursuant to Chapter 14 of
16 Title 11, Code of Alabama 1975.

17 Section 2. (a) The Administrative Office of Courts
18 shall annually collect the following data from each municipal
19 court:

20 (1) The total court cases for the fiscal year,
21 established by the court management system.

22 (2) The total amount of municipal revenue collected
23 by the municipal court and the amount dispersed to each
24 receiving entity.

1 (3) The total expenditures by the municipal court,
2 including annual salaries for the judge or judges, court
3 clerk, and magistrate or magistrates.

4 (4) The total annual operating budget for the
5 municipal court.

6 (5) The total annual operating budget for the
7 municipality.

8 (b) Not later than December 1 of each year, the
9 municipal court clerk shall provide and certify the data
10 required herein to the Administrative Office of Courts.

11 (c) The Administrative Office of Courts, not later
12 than six months after the end of each fiscal year, shall
13 submit to the Legislature, the Attorney General, and the
14 Governor, a written report summarizing the data and an
15 aggregation of the monthly reports required by Section
16 12-1-19, Code of Alabama 1975, collected from municipal
17 courts. The report, as well as the individual municipal data
18 and a list of any municipal court that failed to respond
19 within 60 days of the due date, shall be made available on the
20 Administrative Office of Court's website.

21 Section 3. (a) By January 1, 2023, the Department of
22 Finance shall create an electronic version of the monthly
23 report form approved by the Chief Examiners of Public Accounts
24 pursuant to Section 12-1-19, Code of Alabama 1975, and any

1 clerk responsible for preparing the monthly report shall file
2 the report electronically on or after January 1, 2023.

3 (b) On and after January 1, 2023, the Department of
4 Finance shall publish all reports pursuant to Section 12-1-19,
5 Code of Alabama 1975, on its website.

6 Section 4. (a) Any municipal court that fails to
7 submit the data required in this act within 60 days of the due
8 date shall forfeit any fees and costs collected by the court
9 that would otherwise remain with the municipal court or
10 municipality until the data is submitted. Any forfeited fees
11 and costs shall be transferred to the state Comptroller for
12 distribution to the Administrative Office of Courts.

13 (b) Any municipal court that fails to submit the
14 data required by this act within 60 days of the due date, at
15 the request of the Speaker of the House of Representatives,
16 the President Pro Tempore of the Senate, the Attorney General,
17 or the Governor, shall be subject to a financial audit under
18 generally accepted government auditing standards of municipal
19 records related to revenue collected through fines and fees.
20 The audit shall be performed by the Examiners of Public
21 Accounts or by an independent certified public accountant
22 selected by the municipality.

23 (c) The chief examiner or the independent certified
24 public accountant may recover any costs incurred for the audit
25 by charging a reasonable fee to the municipality.

1 (d) The municipality may use revenue from fines and
2 fees to pay the costs of compiling and reporting data under
3 this section.

4 Section 5. (a) By January 1, 2025, all municipal
5 courts shall use one of the following:

6 (1) The state judicial information system approved
7 for the Unified Judicial System by the Administrative Office
8 of Courts.

9 (2) A court information system in which the court
10 software provider is properly integrated with the state
11 judicial information system for reporting purposes. The court
12 information system shall conform to adequate technical
13 parameters for reporting case management and financial
14 information data to the Administrative Office of Courts. Data
15 shall be accepted by the Administrative Office of Courts at no
16 cost to a municipality.

17 (b) Any costs associated with the use of the state
18 judicial information system approved for the Unified Judicial
19 System by the Administrative Office of Courts may be paid from
20 correction fund monies authorized in Section 11-47-7.1, Code
21 of Alabama 1975.

22 (c) The Administrative Office of Courts shall
23 provide training and resources to municipal courts, including
24 municipal judges, court clerks, and magistrates, on the use of

1 the state judicial information system approved for the Unified
2 Judicial System.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB203

Senate 09-MAR-22

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed 06-APR-22

Senate concurred in House amendment 07-APR-22

By: Senator Orr