

**HB113 ENROLLED**



1 XDRJ7Z-3  
2 By Representatives Crawford, Whitt, Rigsby, Moore (P),  
3 Harrison (N & P)  
4 RFD: Limestone County Legislation  
5 First Read: 21-Mar-23  
6  
7 2023 Regular Session



## HB113 Enrolled

1 Enrolled, An Act,

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3 Relating to Limestone County; to establish a service of  
4 process fee for the service or attempted service of documents  
5 by the Limestone County Sheriff's Office in the civil division  
6 of the circuit and district courts; to establish a fingerprint  
7 fee for fingerprinting certain persons and a local background  
8 check fee; to ratify and confirm fingerprint fees and local  
9 background check fees collected prior to the effective date of  
10 this act; and to provide for a booking fee to be imposed on  
11 each person booked into the Limestone County Jail and  
12 subsequently convicted of a crime, the collection of the fees,  
13 and for the distribution of the revenues derived from the  
14 fees.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. This act shall only apply to Limestone  
17 County.

18 Section 2.(a) In addition to all other charges, fees,  
19 judgments, and costs of court in the civil division of the  
20 district and circuit courts of Limestone County, a service of  
21 process fee of up to fifty dollars (\$50) shall be assessed and  
22 collected for service of process by the Limestone County  
23 Sheriff's Office on each delivery requiring personal service  
24 of process.

25 (b) In addition to all other charges, fees, judgments,  
26 and costs of court, a service of process fee of up to  
27 seventy-five dollars (\$75) shall be assessed and collected for  
28 service of process by the Limestone County Sheriff's Office



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29 for matters pending or to be commenced in a court outside of  
30 this state.

31 (c) The amount of the service of process fees provided  
32 for in subsection (a) and (b) shall be set by the sheriff with  
33 approval of the county commission.

34 (d) The clerk of the court shall collect the service of  
35 process fee provided for in subsections (a) and (b). The fees,  
36 when collected, shall be distributed at least monthly to the  
37 Limestone County Sheriff's Law Enforcement Fund or to another  
38 fund that may be established by law for the sheriff's fees.

39 Section 3.(a) In addition to all other charges, fees,  
40 and costs, a fingerprint fee of up to sixty dollars (\$60)  
41 shall be collected for fingerprinting individuals for passport  
42 identification, employment applications, or for any other  
43 non-law enforcement purpose. A fee shall not be charged for  
44 fingerprinting performed for law enforcement purposes or for  
45 an application for a pistol permit.

46 (b) (1) At the request of a resident of the county, the  
47 Sheriff of Limestone County or his or her designee may provide  
48 a local background check to the resident based on a search of  
49 local criminal records available to the sheriff's office. The  
50 search shall not include national or state databases of  
51 criminal records.

52 (2) In addition to all other charges, fees, and costs,  
53 a service fee of up to twenty dollars (\$20) shall be collected  
54 for local background checks performed by the sheriff's office.

55 (c) The amount of the fingerprint fee and the fee for a  
56 local background check provided for in subsection (a) and (b)



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57 shall be set by the sheriff with approval of the county  
58 commission.

59 (d) The Sheriff of Limestone County or his or her  
60 designee shall collect the fees provided for in subsection (a)  
61 and (b). The fees, when collected, shall be distributed to the  
62 Limestone County Sheriff's Law Enforcement Fund, or to another  
63 fund that may be established by law for the sheriff's office.

64 Section 4.(1) A booking fee in the amount of thirty  
65 dollars (\$30) shall be assessed against and collected from  
66 each individual booked or incarcerated in the Limestone County  
67 Jail and subsequently convicted. The fee assessed pursuant to  
68 this section shall be in addition to any fines, court costs,  
69 or other charges imposed.

70 (2) The booking fee imposed by this section shall be  
71 assessed against a defendant upon conviction by a court of law  
72 where the defendant is convicted. The clerk of the court shall  
73 enter the amount of the fee on the docket sheet and shall  
74 collect the fee in the same manner and the same time as court  
75 costs.

76 (3) The revenues derived from the booking fee shall be  
77 deposited in the Limestone County Sheriff's Office Law  
78 Enforcement Fund to be used by the Sheriff of Limestone County  
79 for salaries, training, operational expenses, or other law  
80 enforcement uses as determined by the sheriff to best meet the  
81 needs of his or her agency. Notwithstanding the foregoing, the  
82 fee shall not be deemed a court cost based on collection by  
83 the clerk.

84 (4) In any case where the booking fee is not paid, the



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85 district attorney of the county may assist in the collection  
86 of the fees in the same manner as court-ordered monies. In  
87 addition, the sheriff may contract for the collection of the  
88 fees and pay a portion of the fees as a cost for collection.

89 (5) The sheriff may withhold funds equal to the amount  
90 of the booking fee from any funds held while an individual is  
91 incarcerated in the Limestone County Jail and those funds may  
92 be applied toward any assessment of a booking fee pursuant to  
93 this section. Any funds withheld shall be repaid to the  
94 defendant if no conviction results after dismissal of all  
95 charges or acquittal.

96 Section 5.(a) All funds collected and deposited in the  
97 Sheriff's Law Enforcement Fund pursuant to Sections 1 through  
98 4 may be expended at the discretion of the Sheriff of  
99 Limestone County for any law enforcement purpose.

100 (b) The fees deposited into the Sheriff's Law  
101 Enforcement Fund shall not diminish, offset, or take the place  
102 of budgeted funds or any other source of income established  
103 for the sheriff or for the operation of the sheriff's office.

104 (c) Any funds remaining in the Sheriff's Law  
105 Enforcement Fund at the end of each fiscal year shall not  
106 revert to the county general fund.

107 Section 6. The district attorney, law enforcement,  
108 grand juries, and Limestone County shall be exempt from  
109 payment of the fees provided for in Sections 1 through 4.

110 Section 7. Any actions of the sheriff or the sheriff's  
111 office prior to the effective date of this act in the charging  
112 and collecting of any fingerprint fees for fingerprinting



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113 persons by the sheriff's office and for local background  
114 checks by the sheriff's office, the payment of the fees to the  
115 Sheriff's Law Enforcement Fund in Limestone County, and the  
116 expenditure of any of the funds for law enforcement purposes  
117 prior to the effective date of this act are ratified,  
118 validated, and confirmed.

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



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 06-Apr-23, as amended.

John Treadwell  
Clerk

Senate

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**03-May-23**

Passed