

HB341 ENGROSSED



1 HB341
2 CNEHQWQ-2
3 By Representative Holk-Jones (N & P)
4 RFD: Baldwin County Legislation
5 First Read: 19-Mar-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to Baldwin County; to amend Section 45-2-231.90, Code of Alabama 1975; to increase service of process fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-2-231.90, Code of Alabama 1975, is amended to read as follows:

"§45-2-231.90

(a) This section shall only apply to Baldwin County.

(b) The Baldwin County Sheriff Service of Process Serving Fund is created and ~~hereinafter~~ referred to in this section as the fund.

(c) The Sheriff of Baldwin County, except for warrants for arrest, may contract with or enter into contract or agreement with a private, public, or governmental entity for the purpose of service of process.

(d) (1) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the criminal division of the district and circuit courts of Baldwin County, shall collect a service of process fee of ~~thirty dollars (\$30)~~ fifty dollars



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29 (\$50) per document which shall be paid into the fund.

30 (2) In addition to all existing charges, fees,
31 judgments, and costs of court, the clerk, sheriff, or other
32 appropriate court official in the civil division of the
33 district and circuit courts of Baldwin County, shall collect a
34 service of process fee of ~~thirty dollars (\$30)~~ fifty dollars
35 (\$50) per document which shall be paid into the fund.

36 (3) The clerk, sheriff, or other appropriate court
37 official shall collect a service of process fee of fifty
38 dollars (\$50) per document for matters originating outside of
39 Baldwin County which shall be paid into the fund.

40 ~~(3)~~ (4) The court official designated in Baldwin County
41 by law for the respective courts shall collect the service of
42 process fee designated in subdivisions (1) ~~and~~, (2), and (3)
43 and shall retain ~~three-five~~ three-five dollars ~~(\$3)~~ (\$5) of each fee for
44 deposit in the circuit clerk's fund for the operation of the
45 office of circuit clerk or for compensation or reimbursement
46 of mileage incurred by jurors. The remainder of the fees
47 collected shall be remitted to the sheriff for deposit in the
48 Sheriff's Service of Process Serving Fund.

49 (e) (1) The sheriff may use the monies generated by this
50 section for any lawful purpose relating to the operation of
51 the office of sheriff, including, but not limited to, any of
52 the following:

53 a. The operation of the office of sheriff, the jail, or
54 other correction center; judicial protective services; the
55 purchase of office supplies and equipment, communications
56 equipment, personal equipment, uniforms, and automobiles;



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57 salaries, salary supplements, expense allowances, and
58 professional dues; training; and related activities.

59 b. The construction, renovation, furnishing, and
60 maintenance of offices, buildings, and grounds operated by the
61 office of sheriff.

62 c. Any other expenses by the sheriff related to the
63 enhancement of law enforcement and corrections in the county.

64 (2) The funds shall not revert to the general fund of
65 the county at the end of the fiscal year."

66 Section 2. This act shall become effective on October
67 1, 2024.



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House of Representatives

Read for the first time and referred19-Mar-24
to the House of Representatives
committee on Baldwin County
Legislation
Read for the second time and placed21-Mar-24
on the calendar:
1 amendment
Read for the third time and passed02-Apr-24
as amended
Yeas 18
Nays 0
Abstains 88

John Treadwell
Clerk