

HB454 ENROLLED



1 HB454
2 FYJ4DDD-2
3 By Representative Robertson (N & P)
4 RFD: Local Legislation
5 First Read: 16-Apr-24



HB454 Enrolled

1 Enrolled, An Act,

2

3 Relating to Cleburne County; to amend Sections
4 45-15-80.01, 45-15-231, and 45-15-232, Code of Alabama 1975;
5 to further provide for the cost of service of process by the
6 sheriff; to further provide for the telephone system in the
7 county jail; and to further provide for pistol permit fees.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Sections 45-15-80.01, 45-15-231, and
10 45-15-232, Code of Alabama 1975, are amended to read as
11 follows:

12 "§45-15-80.01

13 (a) (1) In Cleburne County, in addition to all other
14 fees or costs levied, there shall be taxed as costs the sum of
15 ~~twenty-seventy-five~~ dollars ~~(\$20)~~ (\$75) in the service of any
16 papers or documents by the sheriff or any deputy sheriff
17 arising out of any civil or criminal action instituted outside
18 ~~the State of Alabama~~ this state, whether at law or equity.

19 (2) The sheriff shall bill the ~~court from which the~~
20 ~~certain court papers arise~~ party requesting service, and costs
21 shall be paid to the county and deposited into the Sheriff's
22 ~~Department~~ Law Enforcement Fund in actions instituted or
23 arising outside ~~the State of Alabama~~ this state.

24 (b) All funds generated by this section shall be paid
25 into the ~~General Fund of Cleburne County, designated for the~~
26 ~~"Sheriff's Department~~ Law Enforcement ~~Fund,"~~ and shall be used
27 ~~for the costs and expenses incurred and related to the service~~
28 ~~of the civil or criminal papers or documents."~~



HB454 Enrolled

29 "§45-15-231

30 (a) The Sheriff of Cleburne County or the authorized
31 agents of the sheriff may operate a jail store or a telephone
32 system for prisoners within the confines of the county jail.
33 The jail store and telephone system shall be operated to serve
34 the needs of the jail population.

35 (b) (1) The sheriff shall establish and maintain a
36 Sheriff's Department Fund in a bank located in Cleburne
37 County. All proceeds collected under this section from the
38 operation of the jail store shall be deposited by the sheriff
39 into the Sheriff's Department Fund. All proceeds collected
40 under this section from the operation of the jail telephone
41 system shall be deposited into the Sheriff's Law Enforcement
42 Fund.

43 (2) The sheriff shall keep an account of all jail store
44 sales, telephone usage fees, and transactions of the Sheriff's
45 Department Fund and the Sheriff's Law Enforcement Fund for
46 audit by the Department of Examiners of Public Accounts. The
47 jail store account, telephone usage fees, Sheriff's Law
48 Enforcement Fund, and Sheriff's Department Fund shall be
49 audited at the same time other accounts of the sheriff are
50 audited. The Department of Examiners of Public Accounts shall
51 submit a copy of the audit to the sheriff and the county
52 commission within 30 days of its completion.

53 (c) All profits realized in the operation of the jail
54 store and telephone system shall be expended at the discretion
55 of the sheriff for law enforcement purposes in Cleburne
56 County, including office expenses, that are in the interest of



HB454 Enrolled

57 the public.

58 (d) The sheriff shall provide the Cleburne County
59 Commission a yearly report due on September 30 detailing
60 transactions, revenues, and expenditures of all funds derived
61 from the operation of the county jail store and telephone
62 system.

63 (e) The establishment of the Sheriff's Department Fund
64 and the use of the proceeds of the fund shall not diminish or
65 take the place of any other source of income established for
66 the sheriff or the operation of the office."

67 "§45-15-232

68 (a) In Cleburne County, the fee for issuance of a
69 permit to carry a pistol in a vehicle or concealed on or about
70 the person as provided in Section 13A-11-75, shall be as
71 follows:

72 (1) ten-Twenty dollars ~~(\$10)~~ (\$20) for persons up to 65
73 years of age ~~and.~~

74 (2) five-Fifteen dollars ~~(\$5)~~ (\$15) for persons 65
75 years of age or older. ~~The fees shall be collected by the~~
76 ~~sheriff.~~

77 (b) ~~Any and all~~ All monies collected by the sheriff
78 under this section shall be deposited by the ~~Sheriff of~~
79 ~~Cleburne County sheriff~~ in any bank located in Cleburne County
80 selected by the sheriff, into a fund known as the Sheriff's
81 Law Enforcement Fund. The Sheriff's Law Enforcement Fund shall
82 be drawn upon by the ~~Sheriff of Cleburne County~~ sheriff or his
83 or her appointed agent and shall be exclusively for law
84 enforcement purposes in the public's interest and in the



HB454 Enrolled

85 discharge of the sheriff's office as the sheriff sees fit. The
86 establishment of the Sheriff's Law Enforcement Fund and the
87 use of ~~such the~~ funds shall ~~in no way not~~ diminish or take the
88 place of any other ~~imbursement or other~~ source of income
89 established for the sheriff or the operation of his or her
90 office."

91 Section 2. This act shall become effective on October
92 1, 2024.

