

HB454 INTRODUCED



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



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A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§45-15-80.01

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

(2) The sheriff shall bill the ~~court from which the~~ party requesting service, and costs shall be paid to the county and deposited into the Sheriff's ~~Department~~ Law Enforcement Fund in actions instituted or



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29 arising outside ~~the State of Alabama~~this state.

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

35 "§45-15-231

36 (a) The Sheriff of Cleburne County or the authorized
37 agents of the sheriff may operate a jail store or a telephone
38 system for prisoners within the confines of the county jail.
39 The jail store and telephone system shall be operated to serve
40 the needs of the jail population.

41 (b) (1) The sheriff shall establish and maintain a
42 Sheriff's Department Fund in a bank located in Cleburne
43 County. All proceeds collected under this section from the
44 operation of the jail store shall be deposited by the sheriff
45 into the Sheriff's Department Fund. All proceeds collected
46 under this section from the operation of the jail telephone
47 system shall be deposited into the Sheriff's Law Enforcement
48 Fund.

49 (2) The sheriff shall keep an account of all jail store
50 sales, telephone usage fees, and transactions of the Sheriff's
51 Department Fund and the Sheriff's Law Enforcement Fund for
52 audit by the Department of Examiners of Public Accounts. The
53 jail store account, telephone usage fees, Sheriff's Law
54 Enforcement Fund, and Sheriff's Department Fund shall be
55 audited at the same time other accounts of the sheriff are
56 audited. The Department of Examiners of Public Accounts shall



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57 submit a copy of the audit to the sheriff and the county
58 commission within 30 days of its completion.

59 (c) All profits realized in the operation of the jail
60 store and telephone system shall be expended at the discretion
61 of the sheriff for law enforcement purposes in Cleburne
62 County, including office expenses, that are in the interest of
63 the public.

64 (d) The sheriff shall provide the Cleburne County
65 Commission a yearly report due on September 30 detailing
66 transactions, revenues, and expenditures of all funds derived
67 from the operation of the county jail store and telephone
68 system.

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

73 "§45-15-232

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

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

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

83 (b) ~~Any and all~~ All monies collected by the sheriff
84 under this section shall be deposited by the ~~Sheriff of~~



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85 ~~Cleburne County~~ sheriff in any bank located in Cleburne County
86 selected by the sheriff, into a fund known as the Sheriff's
87 Law Enforcement Fund. The Sheriff's Law Enforcement Fund shall
88 be drawn upon by the ~~Sheriff of Cleburne County~~ sheriff or his
89 or her appointed agent and shall be exclusively for law
90 enforcement purposes in the public's interest and in the
91 discharge of the sheriff's office as the sheriff sees fit. The
92 establishment of the Sheriff's Law Enforcement Fund and the
93 use of ~~such~~ the funds shall ~~in no way~~ not diminish or take the
94 place of any other ~~imbursement or other~~ source of income
95 established for the sheriff or the operation of his or her
96 office."

97 Section 2. This act shall become effective on October
98 1, 2024.