

HB307 ENGROSSED



1 HB307
2 L55P3AY-2
3 By Representatives Hill, Carns
4 RFD: Judiciary
5 First Read: 18-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to courts; to create the Speedy Trial Act; to authorize the Chief Justice of the Alabama Supreme Court to appoint visiting judges in certain circumstances; to provide a process for requesting a visiting judge appointment; to provide for the powers of a visiting judge; to provide for the compensation and support of a visiting judge; and to create the Speedy Trial Fund and provide for the use of monies in the fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Speedy Trial Act.

Section 2. (a) The Chief Justice of the Alabama Supreme Court, upon request from the Attorney General or a district attorney, may appoint a sitting or retired circuit judge to temporarily serve in a given circuit as a visiting judge for a specific case or cases arising from one or more violent offenses, as defined in Section 12-25-32, Code of Alabama 1975.

(b) A request submitted pursuant to this section shall include both of the following:



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29 (1) The specific criminal case assigned to the Attorney
30 General or district attorney's office that he or she believes
31 needs a visiting judge.

32 (2) The reasons the Attorney General or district
33 attorney believes that the case needs a visiting judge.

34 (c) (1) The Chief Justice shall make a determination on
35 a qualifying request made pursuant to this section within 30
36 days after receipt of the request.

37 (2) If the Chief Justice determines that approving the
38 request would serve the public interest, he or she shall
39 appoint a visiting judge. The Chief Justice may take into
40 account the availability of funds when making a determination.

41 (3) A visiting judge shall serve until the final
42 adjudication of the matter for which he or she was appointed.

43 (d) A visiting judge appointment shall confer on the
44 visiting judge all powers, authority, and jurisdiction of the
45 respective judgeship to which he or she has been appointed.

46 (e) (1) A visiting judge shall be paid all actual and
47 necessary expenses as approved by the Chief Justice.

48 (2) A retired judge appointed as a visiting judge may
49 be entitled to compensation pursuant to Sections 12-18-10 or
50 12-18-61, Code of Alabama 1975.

51 (f) A county shall provide adequate courtroom space for
52 hearings and trials set by a visiting judge.

53 (g) (1) A sitting judge appointed as a visiting judge
54 may assign his or her official court reporter for hearings and
55 trials set by the judge in the host circuit.

56 (2) If a special roving reporter is available in the



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57 host circuit, a visiting judge may request to have the special
58 roving reporter assigned to his or her hearings and trials in
59 the host circuit.

60 (3) If the options provided in subdivisions (1) and (2)
61 are not available, a visiting judge may request a special
62 court reporter for hearings and trials set by a visiting
63 judge.

64 (4) If the options provided in subdivisions (1) through
65 (3) are not available, the Attorney General or a district
66 attorney may contract with a court reporter for hearings and
67 trials set by a visiting judge.

68 (h) (1) A visiting judge shall make every effort to
69 conduct jury trials during the host circuit's scheduled jury
70 weeks.

71 (2) On motion from the Attorney General or district
72 attorney, a visiting judge may empanel an additional jury if
73 required to expedite the administration of justice.

74 (3) The prohibition against empaneling a special jury
75 in a capital murder case in Section 12-16-100, Code of Alabama
76 1975, is superseded if the special jury is empaneled in
77 accordance with this subsection.

78 (i) The Speedy Trial Fund is created in the State
79 Treasury. Monies in the fund, at the discretion of the Chief
80 Justice, may be used exclusively for expenses authorized by
81 this section and shall be budgeted and allotted in accordance
82 with Sections 41-4-80 through 41-4-96 and Sections 41-19-1
83 through 41-19-12, Code of Alabama 1975.

84 Section 3. The presiding circuit judge of each circuit,



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85 in his or her discretion and the best interests of justice,
86 may reassign a case to any other circuit or district judge in
87 the circuit without regard to division or specialty.

88 Section 4. This act shall become effective on June 1,
89 2025.



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House of Representatives

Read for the first time and referred18-Feb-25
to the House of Representatives
committee on Judiciary

Read for the second time and placed27-Feb-25
on the calendar:
1 amendment

Read for the third time and passed18-Mar-25
as amended
Yeas 102
Nays 0
Abstains 0

John Treadwell
Clerk