

HB368 INTRODUCED



1 HB368
2 C2IAJWW-1
3 By Representatives Starnes, Stubbs, Ingram (N & P)
4 RFD: Local Legislation
5 First Read: 27-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; to levy a court cost in all cases processed through the circuit court; to levy a booking fee for defendants booked in the county jail; and to provide for collection and allocation of the proceeds from these fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall only apply in Elmore County.

Section 2. (a) (1) A court cost of one hundred dollars (\$100) shall be assessed and collected in all cases processed through the circuit court of the county, excluding traffic cases.

(2) This fee shall increase by five dollars (\$5) on January 1 each year.

(b) (1) This court cost shall be in addition to any other court costs and fees.

(2) The court cost shall not be waived by any court unless all other fees, assessments, costs, fines, and charges associated with the case are waived.

(c) (1) The clerk of the court shall collect this court cost as other costs of the court are assessed and collected.



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29 (2) The clerk of the court shall certify the annual
30 increase provided in subdivision (a) (2) and shall publish
31 notice of the fee amount and adjustment.

32 (d) (1) All proceeds from the collection of the court
33 cost shall be deposited into the Enhance Elmore Fund.

34 (2)a. The county commission shall appropriate the
35 proceeds from the additional court cost for debt service of
36 the expansion and renovation the judicial complex properties.

37 b. Upon satisfaction of the debt service, the county
38 commission shall appropriate the proceeds from the additional
39 court cost for the maintenance, operations, and upgrade of the
40 facilities located on the judicial complex parcel.

41 Section 3. (a) (1) A booking fee of one hundred dollars
42 (\$100) shall be assessed by the clerk of the court against
43 each defendant incarcerated in or booked into the Elmore
44 County Jail provided the defendant is convicted or pleads
45 guilty in cases prosecuted in the circuit or district court of
46 the county.

47 (2) This fee shall increase by five dollars (\$5) on
48 January 1 each year.

49 (b) (1) This fee shall be in addition to any other
50 fines, court costs, or charges.

51 (2) The fee shall not be waived by any court unless all
52 other fees, assessments, costs, fines, and charges associated
53 with the case are waived.

54 (c) (1) The clerk of the court shall collect this fee as
55 other costs of the court are assessed and collected.

56 (2) The clerk of the court shall certify the annual



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57 increase provided in subdivision (a) (2) and shall publish
58 notice of the fee amount and adjustment.

59 (d) (1) All proceeds from the collection of the court
60 cost shall be deposited into the Enhance Elmore Fund.

61 (2)a. The county commission shall appropriate the
62 proceeds from the additional court cost for debt service of
63 the expansion and renovation the judicial complex properties.

64 b. Upon satisfaction of the debt service, the county
65 commission shall appropriate the proceeds from the additional
66 court cost for the maintenance, operations, and upgrade of the
67 facilities located on the judicial complex parcel.

68 Section 4. This act shall become effective on January
69 1, 2026.