

HB601 INTRODUCED



1 HB601
2 QN7RW14-1
3 By Representative Baker (N & P)
4 RFD: Local Legislation
5 First Read: 17-Apr-25



A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; to amend Sections 45-27-231, 45-27-231.01, 45-27-231.02, 45-27-231.03, 45-27-231.26, 45-27-232, and 45-27-233, Code of Alabama 1975, to further provide for the deposit and use of monies by the sheriff.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 45-27-231, 45-27-231.01, 45-27-231.02, 45-27-231.03, 45-27-231.26, 45-27-232, and 45-27-233, Code of Alabama 1975, are amended to read as follows:

"§45-27-231

~~-(a) This section shall only apply to Escambia County.~~

~~-(b) (a) Any and all~~ All monies collected under this section shall be deposited by the Sheriff of Escambia County, or his or her appointed agent, ~~in any bank in Escambia County selected by the sheriff into a fund known as the Escambia County Sheriff Process Fund and hereinafter referred to in this section as the fund~~ the Sheriff's Law Enforcement Fund.

~~-(c) (b) The Sheriff of Escambia County~~ sheriff may contract with or enter into a contract or agreement with a



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private, public, or governmental entity for the purpose of service of process, except for warrants for arrest.

~~(d) (1)~~ (c) (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 Escambia County shall increase the fees by fifteen dollars (\$15) per document requiring personal service.

(2) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the civil division of the district and circuit courts of Escambia County shall increase the fees by fifteen dollars (\$15) per document requiring personal service.

(3) The court official designated ~~in Escambia County~~ by law for the respective courts shall collect the additional service of process fee designated in subdivisions (1) and (2) and remit the fees collected to the sheriff for deposit in the fund.

~~(e) The sheriff may use the monies generated by this section for law enforcement purposes in Escambia County, including contracting with or entering into a contract or agreement with a private, public, or governmental entity for service of process of documents from the civil or criminal division of the district or circuit court. The funds shall not revert to the general fund of the county at the end of the fiscal year."~~

"§45-27-231.01



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~~(a) This section shall only apply to Escambia County.~~

~~(b)~~ (a) In addition to all other 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 Escambia County shall collect a service of process fee of thirty dollars (\$30) on each document requiring personal service of process.

~~(c)~~ (b) In addition to all other charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the civil division of the district and circuit courts of Escambia County shall collect a service of process fee of thirty dollars (\$30) on each document requiring personal service of process.

~~(d)~~ (c) The court official designated ~~in Escambia County~~ by law for the respective courts shall collect the service of process fee designated in subsections (a) and (b) ~~and (c)~~ and remit the fees collected to the sheriff for deposit in the ~~Escambia County Sheriff Service of Process Fund~~ Sheriff's Law Enforcement Fund.

~~(e) The sheriff may use the money generated by this section, at his or her discretion, for law enforcement purposes in Escambia County. The funds shall not revert to the general fund of the county at the end of the fiscal year."~~

"§45-27-231.02

(a) In Escambia County, the sheriff may conduct fundraising events, including, but not limited to, rodeos, ~~and may use the proceeds and profits from the events for any lawful purpose relating to the operation of the office of~~



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~~sheriff.~~ The proceeds shall be deposited in the Sheriff's Law
Enforcement Fund.

(b) The provisions of this part are remedial and curative and any actions taken by the sheriff in conformance with subsection (a) are ratified and confirmed."

"§45-27-231.03

(a) The Sheriff of Escambia County may charge a fee of up to fifty dollars (\$50) for fingerprinting individuals for passport identification, employment purposes, or any other personal reason. Notwithstanding the foregoing, a fee shall not be charged for fingerprinting performed for law enforcement purposes or for fingerprinting of an individual applying for a pistol permit.

(b) All fees collected pursuant to this section shall be deposited in the Sheriff's Law Enforcement Fund ~~in Escambia County to be used for law enforcement purposes on requisition by the sheriff.~~

(c) The charging of a fee for fingerprinting individuals by the sheriff, the payment of the fees to the Sheriff's Law Enforcement Fund ~~in Escambia County~~, and the expenditure of any of the funds for law enforcement purposes prior to March 8, 2022, are ratified, validated, and confirmed."

"§45-27-231.26

The proceeds from the sale of property at an auction conducted under the authority of this subpart, after deducting and paying all expenses incurred in the recovery, storage, maintenance, and sale of property, shall be collected by the



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~~(f) The State Examiners of Public Accounts shall audit the fund annually and submit a copy of the audit to the sheriff within 30 days of its completion."~~

"§45-27-233

(a) In Escambia County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Section 13A-11-75, shall be twenty dollars (\$20) which shall be collected by the sheriff.

(b) Notwithstanding the foregoing, the fee for issuing the described pistol permit to a person ~~aged at least~~ aged at least 65 ~~or older~~ years of age shall be fifteen dollars (\$15).

(c) ~~Any and all~~ All monies collected under ~~subsection~~ subsections (a) and ~~subsection~~ (b) shall be deposited by the Sheriff of Escambia County in any bank located in Escambia County selected by the sheriff, sheriff into a fund known as the Sheriff's Law Enforcement Fund. ~~The fund shall be audited by the Examiners of Public Accounts at the same time other accounts of the sheriff are audited.~~

~~(d) The Sheriff's Law Enforcement Fund as provided in subsection (c) shall be drawn upon by the Sheriff of Escambia County or his or her appointed agent and shall be exclusively for law enforcement purposes in the public's interest and in the discharge of the sheriff's office as the sheriff sees fit.~~

~~(e) The establishment of the Sheriff's Law Enforcement Fund and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his or her office."~~



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Section 2. (a) The Sheriff of Escambia County shall maintain a fund in any bank located in the county known as the Sheriff's Law Enforcement Fund.

(b) The monies in the fund may be drawn upon by the sheriff or his or her designee for legitimate law enforcement, public safety, or community relations purposes in the county.

(c) The Department of Examiners of Public Accounts shall audit the fund annually and submit a copy of the audit to the sheriff within 30 days of the audit's completion.

(d) The fund and the monies in the fund shall not diminish or take the place of any other source of income established for the sheriff or the operation of his or her office.

(e) On October 1, 2025, all monies remaining in the following funds shall be transferred to the Sheriff's Law Enforcement Fund:

(1) The Escambia County Sheriff Process Fund established pursuant to Section 45-27-231, Code of Alabama 1975.

(2) The Escambia County Sheriff Service of Process Fund established pursuant to Section 45-27-231.01, Code of Alabama 1975.

(3) The sheriff's fund established pursuant to Section 45-27-231.26, Code of Alabama 1975.

Section 3. This act shall become effective on October 1, 2025.