

## HB320 INTRODUCED



1      HB320  
2      DGVZRNH-1  
3      By Representatives Pettus, Hill  
4      RFD: Judiciary  
5      First Read: 22-Jan-26



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4     SYNOPSIS:

5             Existing law does not specifically address where  
6     the monies deposited into certain county funds are to  
7     be maintained.

8             This bill would require the monies deposited in  
9     both county law library funds and presiding circuit  
10    judge's judicial administration funds to be maintained  
11    in separate funds within the county treasury.

12            This bill would also make nonsubstantive,  
13     technical revisions to update the existing code  
14     language to current style.

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17            A BILL

18            TO BE ENTITLED

19            AN ACT

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21            Relating to county law library and judicial  
22     administration funds; to amend Sections 11-25-7 and 12-19-310,  
23     Code of Alabama 1975; to require county law library funds to  
24     be maintained in a separate fund in the county treasury; to  
25     require presiding circuit judge's judicial administration  
26     funds to be maintained in a separate fund in the county  
27     treasury; and to make nonsubstantive, technical revisions to  
28     update the existing code language to current style.

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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30           Section 1. Sections 11-25-7 and 12-19-310 are amended  
31 to read as follows:

32           "§11-25-7

33           Upon the establishment of a county law library under  
34 the provisions of this chapter, L each county shall have and  
35 maintain a separate fund within the county treasury known as  
36 the County Law Library Fund and may have a separate law  
37 library fund for each law library in the county. The county  
38 law library funds shall consist of fundsmonies appropriated by  
39 the state, county, or municipal governments~~ri~~ fundsmonies  
40 collected under the provisions of law~~ri~~ proceeds from the sale  
41 of copies, books, and other materials, or received from  
42 donations, gifts, grants, and funds other than those  
43 appropriated, and shall be audited as other county funds are  
44 audited. ~~Said~~A county law library fund may be used to match  
45 grants for library purposes. Library funds may be used to pay  
46 library personnel. All purchases by or on behalf of ~~sucha~~  
47 county law library shall be exempt from all State of Alabama,  
48 county, or municipal sales, use, or other similar taxes."

49           "§12-19-310

50           (a) In addition to the docket fees now authorized by  
51 law, additional docket fees shall be assessed in all circuit,  
52 district, and municipal courts as follows:

53           (1) In civil cases in the circuit and district courts,  
54 except child support cases and as further provided for small  
55 claims cases, an additional docket fee of forty-five dollars  
56 (\$45) and in small claims cases an additional docket fee of



57 fifteen dollars (\$15).

58 (2) In criminal cases in the circuit, district, and  
59 municipal courts, except juvenile cases and as further  
60 provided for traffic cases, an additional docket fee of forty  
61 dollars (\$40) and in traffic cases, but excluding parking  
62 violations, an additional docket fee of twenty-six dollars  
63 (\$26).

64 (b) (1) Two dollars (\$2) of the traffic docket fee shall  
65 be distributed to the Police Officers' Annuity Fund before any  
66 distribution pursuant to subsections (c) and (d).

67 (2) Ten dollars (\$10) of each fee in municipal court  
68 shall be retained by the presiding municipal judge or the  
69 municipal court clerk for operation of the municipal court  
70 and, before any distribution in subsections (c) and (d),  
71 distributed to the municipality for the operation of the  
72 municipal courts.

73 (c) There is established in the State Treasury the  
74 State Judicial Administration Fund. Two-thirds of the docket  
75 fees collected pursuant to subsection (a) shall be distributed  
76 to the fund and used by the Administrative Office of Courts as  
77 determined by the Administrative Director of Courts for the  
78 operation of courts in this state.

79 (d) There is established in each judicial circuit of  
80 this state the Presiding Circuit Judge's Judicial  
81 Administration Fund and in each county in this state the  
82 Circuit Clerk's Judicial Administration Fund. One-sixth of the  
83 docket fees collected in each circuit pursuant to subsection  
84 (a) shall be distributed to the Presiding Circuit Judge's



85       Judicial Administration Fund in the circuit and maintained  
86       within the county treasury~~in the circuit~~. One-sixth of the  
87       docket fees collected in each county pursuant to subsection  
88       (a) shall be distributed to the Circuit Clerk's Judicial  
89       Administration Fund in the county.

90               (e) (1) The funds distributed pursuant to subsection (d)  
91       shall be expended for the support of local court operations,  
92       including, but not limited to, salaries and benefits of court  
93       employees where necessary for the efficient operations of the  
94       courts in the circuit and for other expenses as individually  
95       determined necessary by the presiding circuit judge or any  
96       circuit clerk to promote efficient administration of justice.  
97       Funds distributed pursuant to subsection (d) shall not reduce  
98       the amount payable to the presiding circuit judge or any  
99       circuit clerk under any local act or general act or reduce or  
100       affect the amounts of funding allocated by the Administrative  
101       Office of Courts to the budget of the presiding circuit judge  
102       or any circuit clerk.

103               (2) In addition to subdivision (1) relating to the  
104       circuit clerk, each clerk, at his or her discretion, may use  
105       the money in the Circuit Clerk's Judicial Administration Fund  
106       for the purpose of awarding merit and ~~promotions~~promotion  
107       raises to full-time employees of the clerk's office.

108               (f) All expenditures of funds pursuant to this section  
109       shall be audited as all other state funds are audited.

110               (g) The docket fees assessed pursuant to this section  
111       shall not be waived or remitted by the court unless all docket  
112       fees associated with the case are waived or remitted.



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113 (h) The court clerk shall distribute the fees provided  
114 for in this section on a monthly basis as other costs and fees  
115 are distributed."