

HB355 ENROLLED



1 HB355
2 V7JCDPL-2
3 By Representatives Lee, Clouse, Rehm, Sorrells (N & P)
4 RFD: Local Legislation
5 First Read: 29-Jan-26



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1 Enrolled, An Act,

2
3 Relating to Houston County; to amend Section
4 45-35-83.83, Code of Alabama 1975; to extend the length of
5 time a temporary judge of probate may serve; and to revise the
6 compensation of a temporary judge of probate.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 45-35-83.83, Code of Alabama 1975,
9 is amended to read as follows:

10 "§45-35-83.83

11 (a) The Judge of Probate of Houston County may appoint
12 from the qualified electors of Houston County one or more
13 temporary judges of probate to serve contemporaneously with
14 him or her when the elected judge of probate finds that the
15 temporary appointments are necessary due to calendar
16 congestion, complexity of issues, the prospects of an unduly
17 long trial, or caseload management.

18 (b) No temporary appointment shall be for a term longer
19 than ~~90~~180 days.

20 (c) A temporary judge of probate may be appointed for
21 as many successive ~~90~~180-day periods or fractions thereof as
22 might be necessary, but a temporary judge of probate shall not
23 ~~serve~~preside over hearings on more than 200 days during any
24 fiscal year.

25 (d) Any qualified employee of the court who is licensed
26 to practice law in the state is eligible for an appointment as
27 a temporary judge of probate.

28 (e) All temporary judges of probate shall have the



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29 jurisdiction and authority and shall discharge the duties of
30 the judge or probate, and the judgments, orders, and decrees
31 made or rendered by any temporary judge of probate shall be
32 entered on the records of the probate court and shall have the
33 force and effect and be subject to revision or appeal or other
34 revisory remedy of judgments, orders, and decrees of the
35 probate court or of the judge of probate.

36 (f) Neither the regularly elected judge of probate, nor
37 the surety on his or her bond, shall be responsible for any of
38 the acts, failures to act, reports, or decisions made by any
39 temporary judge of probate, or any of the acts or failures to
40 act of any employee in the probate court during the tenure of
41 the temporary judge of probate.

42 (g) Compensation for temporary judges of probate shall
43 be fiftyone hundred dollars ~~(\$50)~~ (\$100) per hearing to be paid
44 from the discretionary fund of the judge of probate, unless
45 the temporary judge of probate is an employee of the court, in
46 which case the employee shall not receive any compensation
47 under the pay plan established by the rules of the Houston
48 County Personnel Board.

49 Section 2. This act shall become effective on October
50 1, 2026.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 05-Feb-26.

John Treadwell
Clerk

Senate **19-Feb-26**

Passed