

**HB232 ENROLLED**



1 7BDC22-2  
2 By Representative Almond (N & P)  
3 RFD: Tuscaloosa County Legislation  
4 First Read: 04-Apr-23  
5  
6 2023 Regular Session



## HB232 Enrolled

1 Enrolled, An Act,

2

3 Relating to the City of Tuscaloosa; to amend Section 8  
4 of Act 2011-660, 2011 Regular Session (Acts 2011, p. 1751) to  
5 further provide that crime prevention programs and the  
6 Behavioral Health Unit of the Tuscaloosa Police Department  
7 shall share in the disbursement of application fees from the  
8 pretrial diversion program.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 8 of Act 2011-660, 2011 Regular  
11 Session (Acts 2011, p. 1751) is amended to read as follows:

12 "Section 8.(a) An offender may be assessed a  
13 nonrefundable application fee when the offender is approved  
14 for the pretrial diversion program. The amount of the  
15 assessment for participation in the program shall be in  
16 addition to any court costs, fees, and assessments for the  
17 Crime Victim's Compensation Fund, Department of Forensic  
18 Sciences assessments, drug, alcohol, or anger management  
19 treatment required by law, and any costs of supervision,  
20 treatment, and restitution for which the offender may be  
21 responsible. A schedule of payments for any of these fees may  
22 be established by the city attorney.

23 (b) The following application fees shall be applied to  
24 offenders accepted into the program:

25 (1) Misdemeanor offenses and Driving Under the  
26 Influence: One thousand dollars (\$1,000).

27 (2) Traffic offenses not including DUI: Five hundred  
28 dollars (\$500).



## HB232 Enrolled

29 (3) Violations: One hundred dollars (\$100).

30 (c) The amount of the application fee for each offender  
31 shall be established by the city attorney.

32 (d) The application fee shall be allocated to the  
33 general fund of the City of Tuscaloosa except that a minimum  
34 of 25 percent shall fund technology and training for law  
35 enforcement and a minimum of 25 percent shall fund crime  
36 prevention programs, the Tuscaloosa Police Department's  
37 Behavioral Health Unit, or the Indigent Treatment Fund as  
38 established by the City of Tuscaloosa.

39 (e) An applicant offender may not be denied access into  
40 the pretrial diversion program based solely on the inability  
41 of the offender to pay the application fee. Application fees  
42 may be waived or reduced for just cause, including indigency  
43 of the offender, at the discretion of the city. Any  
44 determination of the indigency of the offender for purposes of  
45 program fee mitigation shall be made by the city but such  
46 mitigation shall be done only upon the determination by the  
47 city that there is no reasonable likelihood within the  
48 reasonably foreseeable future that the offender will have the  
49 ability to pay the application fee."

50 Section 2. This act shall become effective on the  
51 first day of the third month following its passage and  
52 approval by the Governor, or its otherwise becoming law.



**HB232 Enrolled**

53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78

---

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 13-Apr-23.

John Treadwell  
Clerk

Senate

---

**03-May-23**

Passed