

1 HB26
2 171735-3
3 By Representative Hill (M) (N & P)
4 RFD: Shelby County Legislation
5 First Read: 02-FEB-16
6 PFD: 01/29/2016

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Shelby County; to further amend Section
14 7 of Act 248, of the 1975 Regular Session (Acts 1975, p. 778),
15 as last amended by Act 2013-359, 2013 Regular Session (Acts
16 2013, p. 1288), relating to the office of the judge of probate
17 and providing for a special recording fee on real property and
18 personal property instruments, so as to further provide for
19 the fee and distribution of the additional fee.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 7 of Act 248 of the 1975 Regular
22 Session (Acts 1975, p. 778), as last amended by Act 2013-359,
23 2013 Regular Session (Acts 2013, p. 1288), is further amended
24 to read as follows:

25 "Section 7. Special Recording Fees. A special index
26 fee of nine dollars (\$9) shall be paid to the county, and
27 collected by the judge of probate with respect to each real

1 property instrument and each personal property instrument
2 filed for record in the office of the judge of probate and for
3 the recording of other instruments and documents in the
4 probate office in the discretion of the governing body of the
5 county. No instrument shall be recorded in the office of the
6 judge of probate unless the special index fee is paid. The
7 special index fee shall be in addition to all other fees,
8 taxes, and other charges required by law for recording any
9 real property instrument or personal property instrument, and
10 for the recording of other instruments and documents in the
11 office of the judge of probate in the discretion of the
12 governing body of the county. All special index fees collected
13 shall be deposited into the county treasury and credited to
14 the account of a special fund to be expended as follows:

15 "(1) Of the fee collected, five dollars (\$5) shall
16 be designated for payment of initial installation costs and
17 the costs as needed of additional equipment including, but not
18 limited to, computer hardware and software, that may be added
19 to the probate office from time to time and for other expenses
20 in the operation of the office at the discretion of the judge
21 of probate.

22 "(2) Of the fee collected, two dollars (\$2) shall be
23 designated for the operating expenses of the Shelby County
24 Constituents' Office. The fund shall be managed by the chair
25 of the Shelby County Legislative Delegation Office.

26 "(3) Of the fee collected, two dollars (\$2) shall be
27 designated for the operation of mental health programs serving

1 the county to be administered by the judge of probate in his
2 or her sole discretion.

3 "Any sums deposited or collected in excess of those
4 needed to implement this act, in the sole discretion of the
5 judge of probate, may be expended for the operations of the
6 office of the judge of probate."

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