

1 HB491  
2 205791-2  
3 By Representative Baker (N & P)  
4 RFD: Local Legislation  
5 First Read: 04-MAY-20

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ENROLLED, An Act,

Relating to Escambia County; to provide for a booking fee to be imposed on each person booked into the Escambia County Detention Center and subsequently convicted of a crime; to provide for the collection of the booking fee; and to provide for the distribution of the revenues derived from the booking fee.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In Escambia County, a booking fee in the amount of thirty dollars (\$30) shall be assessed against and collected from each person booked or incarcerated into the Escambia County Detention Center and subsequently convicted. The fee assessed pursuant to this act shall be in addition to any fines, court costs, or other charges imposed.

Section 2. The booking fee imposed by this act shall be assessed against a defendant upon conviction by a court of law where the defendant is convicted. The clerk of the court shall enter the amount of the fee as provided in this act on the docket sheet and shall collect the fee in the same manner and the same time as court costs. Notwithstanding the foregoing, the fee shall not be deemed a court cost based on collection by the clerk.

Section 3. The revenues derived from the booking fee shall be distributed to the Escambia County Sheriff's

1 Department Law Enforcement Fund to be used by the Sheriff of  
2 Escambia County for salaries, training, operational expenses,  
3 or other law enforcement uses as determined by the sheriff to  
4 best meet the needs of his or her office.

5 Section 4. In any case where the booking fee  
6 provided by this act is not paid, the district attorney of the  
7 county may assist in the collection of the fees in the same  
8 manner as court-ordered monies. In addition, the sheriff may  
9 contract for the collection of the fees and pay a portion of  
10 the fees as a cost for collection.

11 Section 5. The sheriff may withhold funds equal to  
12 the amount of the booking fee from any funds held while a  
13 person is incarcerated in the Escambia County Detention Center  
14 and those funds may be applied toward any assessment of a  
15 booking fee pursuant to this act. Any funds withheld shall be  
16 repaid to the defendant if no conviction results after  
17 dismissal of all charges or acquittal.

18 Section 6. Any revenues derived from this act shall  
19 be in addition to other funding sources for the Escambia  
20 County Detention Center and the Escambia County Sheriff's  
21 Department and shall not reduce or replace any funding from  
22 any other sources.

23 Section 7. The provisions of this act are severable.  
24 If any part of this act is declared invalid or

1       unconstitutional, that declaration shall not affect the part  
2       which remains.

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

