

1 HB570
2 176738-2
3 By Representative Ford (N & P)
4 RFD: Local Legislation
5 First Read: 26-APR-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Etowah County; to provide for a booking
14 fee to be imposed on each person booked into the Etowah County
15 Detention Center and subsequently convicted of a crime; to
16 provide for the collection of the booking fee; and to provide
17 for the distribution of the revenues derived from the booking
18 fee.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

26 Section 2. The booking fee imposed by this act shall
27 be assessed against a defendant upon conviction by a court of

1 law where the defendant is convicted. The clerk of the court
2 shall enter the amount of the fee as provided in this act on
3 the docket sheet and shall collect the fee in the same manner
4 and the same time as court costs. Notwithstanding the
5 foregoing, the fee shall not be deemed a court cost based on
6 collection by the clerk.

7 Section 3. The revenues derived from the booking fee
8 shall be distributed as follows: Twenty dollars (\$20) of the
9 fee to the Etowah County Sheriff's Department Law Enforcement
10 Fund to be used by the Sheriff of Etowah County for salaries,
11 training, operational expenses, or other law enforcement uses
12 as determined by the sheriff to best meet the needs of his or
13 her office; five dollars (\$5) of the fee shall be distributed
14 to the Etowah County Circuit Clerk's Fund to be used for the
15 operation of the office; and five dollars (\$5) of the fee
16 shall be distributed to the Etowah County District Attorney
17 Fund to be used for the operation of the office.

18 Section 4. In any case where the booking fee
19 provided by this act is not paid, the district attorney of the
20 county may assist in the collection of the fees in the same
21 manner as court-ordered monies. In addition, the sheriff may
22 contract for the collection of the fees and pay a portion of
23 the fees as a cost for collection.

24 Section 5. The sheriff may withhold funds equal to
25 the amount of the booking fee from any funds held while a
26 person is incarcerated in the Etowah County Detention Center
27 and those funds may be applied toward any assessment of a

1 booking fee pursuant to this act. Any funds withheld shall be
2 repaid to the defendant if no conviction results after
3 dismissal of all charges or acquittal.

4 Section 6. Any revenues derived from this act shall
5 be in addition to other funding sources for the Etowah County
6 Detention Center and the Etowah County Sheriff's Department
7 and shall not reduce or replace any funding from any other
8 sources.

9 Section 7. The provisions of this act are severable.
10 If any part of this act is declared invalid or
11 unconstitutional, that declaration shall not affect the part
12 which remains.

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