

1 HB571
2 201518-2
3 By Representatives Crawford, Whitt, Moore (P), McCutcheon and
4 Greer (N & P)
5 RFD: Limestone County Legislation
6 First Read: 07-MAY-19

1
2 ENROLLED, An Act,

3 Relating to Limestone County and the Thirty-ninth
4 Judicial Circuit; to amend Section 45-42-81.01, Code of
5 Alabama 1975; to further provide for the assessment and
6 collection of a solicitor's fee payable to the Solicitor's
7 Fund in Limestone County in all criminal cases that arise
8 within the geographic boundaries of Limestone County, whether
9 said criminal case originated in a municipality or county
10 court in an amount equal to the fees and court costs payable
11 to the Fair Trial Tax Fund in criminal cases; and providing
12 for the distribution of the solicitor's fee to the circuit or
13 municipal court clerk and the Solicitor's Fund in Limestone
14 County.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 45-42-81.01, Code of Alabama
17 1975, is amended to read as follows:

18 "§45-42-81.01.

19 "(a) (1) In all juvenile, traffic, criminal, and
20 quasi-criminal cases that arise within the geographic
21 boundaries of Limestone County in the juvenile, district,
22 circuit, and municipal courts in exercising jurisdiction
23 within the geographic boundaries of Limestone County, a docket
24 fee, hereinafter referred to as a solicitor's fee, shall be

1 assessed in each case. The fees, when collected, shall be
2 distributed monthly as follows:

3 "a. Three dollars (\$3) from each case:

4 "1. To the circuit clerk to be deposited into the
5 circuit clerk's fund; or

6 "2. To the municipal court clerk to be deposited
7 into the municipal clerk's fund or the fund otherwise
8 established for the operation of the office of the municipal
9 court if the case originates and is disposed of in a municipal
10 court; or

11 "3. Apportioned so that one dollar (\$1) from each
12 case is distributed to the circuit clerk to be deposited into
13 the circuit clerk's fund, and two dollars (\$2) from each case
14 is distributed to the municipal court clerk to be deposited
15 into the municipal clerk's fund or the fund otherwise
16 established for the operation of the office of the municipal
17 court, to be used as provided by law for the operation of the
18 office of the circuit court clerk or municipal court clerk as
19 the case may be, if the case originates in a municipal court
20 and is disposed of in a circuit court.

21 "b. The remainder of each fee to the Solicitor's
22 Fund in ~~the county~~ Limestone County, the District Attorney's
23 Fund in Limestone County, or to the fund that may be hereafter
24 prescribed by law for the solicitor's fee.

1 "(2) The solicitor's fee shall be in an amount equal
2 to all docket fees or court costs which are assessed upon an
3 adjudication of guilt in a criminal case and distributed to
4 the Fair Trial Tax Fund. ~~A one dollar (\$1) administrative fee~~
5 ~~from each case shall be retained by the clerk of court to pay~~
6 ~~for the operation of the clerk's office.~~ In no event shall the
7 solicitor's fee be less than an amount equal to the Fair Trial
8 Tax Fund docket fees which are prescribed for an adjudication
9 or finding of guilt of the criminal offense charged.

10 "(b) The solicitor's fee shall be collected in all
11 criminal cases where the defendant is adjudged guilty, a bond
12 forfeited, a penalty imposed, or where there is issued any
13 alias or capias warrant of arrest. The solicitor's fee shall
14 be in addition to and not in lieu of any other fees or costs.
15 The solicitor's fee shall not be waived or remitted unless the
16 defendant proves to the reasonable satisfaction of the
17 sentencing judge that the defendant is not capable of paying
18 the fee within the reasonably foreseeable future.

19 "(c) The solicitor's fee may be expended by the
20 district attorney for the payment of any and all expenses
21 incurred or for any legitimate law enforcement purpose."

22 Section 2. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

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 16-MAY-19.

Jeff Woodard
Clerk

Senate	23-MAY-19	Amended and Passed
House	23-MAY-19	Concurred in Senate Amendment