

1 SB113
2 155799-1
3 By Senator Orr
4 RFD: Judiciary
5 First Read: 14-JAN-14
6 PFD: 01/13/2014

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8 SYNOPSIS: Currently, circuit and district courts are
9 allowed to accept credit card or debit card
10 payments for certain court costs and fees. This
11 bill requires circuit and district courts to accept
12 credit card, charge card, or debit card payments
13 for those fines and fees and expands the payments
14 for which credit cards, charge cards, and debit
15 cards are authorized.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

20
21 Relating to court payments; to amend Section
22 12-19-290, Code of Alabama 1975, to require circuit and
23 district courts to accept credit card, charge card, and debit
24 card payments; and to expand the types of payments for which
25 credit cards, charge cards, and debit cards are authorized.
26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 12-19-290, Code of Alabama 1975,
2 shall be amended to read as follows:

3 "§12-19-290.

4 "(a) The Advanced Technology and Data Exchange Fund
5 is created in the State Treasury.

6 "(b) The fund shall consist of all monies paid into
7 the State Treasury to the credit of the fund pursuant to
8 Section 12-19-181 or by legislative appropriations, grant,
9 gift, or otherwise.

10 "(c) Monies contained in the Advanced Technology and
11 Data Exchange Fund may be expended to provide for any
12 activities involving the administration of justice including,
13 but not limited to, the following purposes:

14 "(1) Expand methods and means for collection and
15 disbursement of court-ordered monies through the use of credit
16 cards, electronic fund transfers, or other means and provide
17 for electronic transfer of records and storage.

18 "(2) Enhance coordination and sharing of data with
19 local, state, and federal agencies, members of the bar, and
20 the public.

21 "(3) Provide equipment for electronically filing
22 cases.

23 "(4) Improve accountability for case filings and
24 dispositions.

25 "(5) Train and educate employees and officials on
26 the state and municipal levels of the Unified Judicial System

1 regarding legal and administrative policies and procedures and
2 effective usage of the courts' management systems.

3 "(6) Provide education materials including, but not
4 limited to, manuals, forms, handbooks, books, brochures, and
5 technology for legal research and case management for court
6 officials and employees and component groups of the legal
7 community.

8 "(7) Provide staff, services, and equipment required
9 to maintain and expand technological improvements and conduct
10 continuing education and training in these areas.

11 "(8) Pay service charges, electronic transfer fees,
12 or any other transaction costs associated with subdivisions
13 (1) to (7), inclusive.

14 "All such costs shall be paid out of funds
15 appropriated to the Advanced Technology and Data Exchange Fund
16 and shall not reduce amounts due to be distributed to other
17 governmental funds or entities.

18 "(d) The clerks of the circuit and district courts
19 ~~may shall~~ accept credit cards, charge cards, or debit cards
20 ~~approved by the Administrative Director of Courts~~ issued from
21 any bank, foreign lender, domestic lender, or credit card bank
22 as defined in Section 5-20-3 for the payment of court costs,
23 fees, fines, forfeitures, judgments, restitution, attorney
24 fees, any monies collected and payable to individuals,
25 businesses or partnerships, or any person or entity other than
26 a governmental agency or department or assessments of any
27 kind. ~~The following are specifically excluded from payment by~~

1 ~~credit cards or debit cards: Judgments, restitution, attorney~~
2 ~~fees, any monies collected and payable to individuals,~~
3 ~~businesses, partnerships, or any person or entity other than a~~
4 ~~governmental agency or department. The clerk of the court~~
5 ~~accepting payment shall impose a surcharge or convenience fee~~
6 ~~on any person or corporation making payment for any of the~~
7 ~~above by credit card, charge card, or debit card in an amount~~
8 ~~not greater than the transaction fee charged by the credit~~
9 ~~card, charge card, or debit card issuer or processor to the~~
10 ~~court.~~

11 "(e) The Administrative Director of Courts or any
12 municipality may contract with any company that issues credit
13 cards to collect and seize credit cards issued by any company
14 that are outdated or otherwise unauthorized. The state or
15 municipality may charge the company a fee for the return of
16 the credit cards. Any fees collected pursuant to this
17 subsection by state courts shall be deposited into the
18 Advanced Technology and Data Exchange Fund and the fees
19 collected by a municipal court shall be deposited into the
20 general fund of the municipality.

21 "(f) Procedures for implementing the provisions of
22 Act 99-427 may be promulgated as Rules of Judicial
23 Administration adopted by the Supreme Court of Alabama.

24 "(g) At the end of any fiscal year, any unexpended
25 or unencumbered monies contributed to or deposited in the fund
26 from any source, except appropriations from other state funds,
27 shall remain in the fund."

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