

SB44 ENROLLED



1 1HXILZ-2
2 By Senators Singleton, Smitherman
3 RFD: Finance and Taxation General Fund
4 First Read: 07-Mar-23
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SB44 Enrolled

1 Enrolled, An Act,

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4 Relating to court costs; to amend Section 22-52-14,
5 Code of Alabama 1975; to further provide for an appointed
6 attorney's compensation in a commitment
7 proceeding.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Section 22-52-14, Code of Alabama 1975, is
10 amended to read as follows:

11 "§22-52-14

12 In any commitment proceeding, the fees of any attorney
13 appointed by the probate judge to act as advocate for the
14 petition and any attorney or guardian ad litem appointed by
15 the probate judge for the person sought to be committed shall
16 be set at the rates established by Section 15-12-21; and any
17 expert employed to offer expert testimony, in such amounts as
18 found to be reasonable by the probate judge; and all other
19 costs allowable by law shall be paid by the state general fund
20 upon order of the probate judge; except, that if the petition
21 is denied and the petitioner is not indigent and is not a law
22 enforcement officer or other public official acting within the
23 line and scope of his duties, all costs may be taxed against
24 the petitioner, or if the petition is granted and the person
25 sought to be committed is not indigent, the probate judge may
26 order all costs paid from the estate of the person committed.
27 Fees for an attorney appointed to advocate for the petitioner
28 may include reasonable fees related to consultation and



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29 preparation of the petition prior to appointment, subject to
30 approval by the judge of probate."

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



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB44

Senate 23-Mar-23

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives

Passed: 18-Apr-23

By: Senator Singleton