

1 HB229  
2 172320-3  
3 By Representatives Beech and McCampbell (N & P)  
4 RFD: Local Legislation  
5 First Read: 16-FEB-16

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Choctaw County; to establish a service  
14 of process fee for the service or attempted service of  
15 documents by the Choctaw County Sheriff's Office in the civil  
16 division of the circuit and district courts; to provide for  
17 the distribution of the fees; and to establish the Choctaw  
18 County Sheriff's Law Enforcement Fund for the disposition of  
19 service of process fees.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. This act shall only apply to Choctaw  
22 County.

23 Section 2. (a) (1) In addition to all other charges,  
24 fees, judgments, and costs of court, a service of process fee  
25 of twenty-five dollars (\$25) shall be collected in Choctaw  
26 County for service or attempted service of process on each  
27 complaint, counter claim, third party complaint, or

1 declaratory judgment proceeding requiring personal service of  
2 process by the sheriff in civil proceedings filed in the State  
3 of Alabama.

4 (2) A service of process fee of fifty dollars (\$50)  
5 shall be collected for service or attempted service of process  
6 on each document requiring personal service of process by the  
7 sheriff on each complaint, counter claim, cross claim, third  
8 party complaint, or declaratory judgment and proceedings  
9 requiring personal service of process for matters pending or  
10 to be commenced in a court outside of the State of Alabama.

11 (b) A Sheriff's Law Enforcement Fund shall be  
12 created to supplement the budget of the Choctaw County  
13 Sheriff's Office. The fund shall be used for law enforcement  
14 purposes and to discharge the duties of the office of the  
15 sheriff as determined by the sheriff in the public interest,  
16 to include, but not be limited to, training expenses,  
17 ammunition, clothing and uniforms, vehicles, travel expenses,  
18 and equipment costs.

19 (c) The clerk of the court or designee in Choctaw  
20 County by law for the respective courts shall collect the  
21 service of process fee designated in subsection (a) and  
22 deposit the fee into the Sheriff's Law Enforcement Fund.

23 (d) The Sheriff's Law Enforcement Fund shall be an  
24 additional fund separate from the budget of the sheriff as  
25 provided for in the county general fund. The fees deposited  
26 into the Sheriff's Law Enforcement Fund shall not diminish,  
27 offset, or take the place of budgeted funds or any other

1 source of income established for the sheriff or for the  
2 operation of the office of the sheriff.

3 (e) The district attorney, law enforcement, grand  
4 juries, and Choctaw County shall be exempt from payment of the  
5 fees provided for in this act.

6 Section 3. This act shall become effective on the  
7 ratification of a Constitutional Amendment authorizing the  
8 Legislature to fix, alter, and regulate court costs in Choctaw  
9 County.