

1 HB238  
2 115517-1  
3 By Representative Ford (N & P)  
4 RFD: Local Legislation  
5 First Read: 12-JAN-10

2  
3  
4  
5  
6  
7  
8  
9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
12

13 Relating to Etowah County; providing for the  
14 assessment and collection of a solicitor's fee payable to the  
15 Solicitor's Fund in all criminal cases in an amount equal to  
16 the fees and court costs payable to the Fair Trial Tax Fund in  
17 criminal cases; and providing for the disbursement of the  
18 fund.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. In all juvenile, traffic, criminal, and  
21 quasi-criminal cases in the juvenile, district, circuit, and  
22 municipal courts in Etowah County, a docket fee, hereinafter  
23 referred to as a solicitor's fee, shall be assessed in each  
24 case. The fees, when collected, shall be distributed monthly  
25 to the Solicitor's Fund or District Attorney's Fund in the  
26 county or to the fund that may be hereafter prescribed by law  
27 for the solicitor's fee. The solicitor's fee shall be in an

1 amount equal to all docket fees or court costs which are  
2 assessed upon an adjudication of guilt in a criminal case and  
3 distributed to the Fair Trial Tax Fund.

4 Section 2. The solicitor's fee shall be collected in  
5 all criminal cases where the defendant is adjudged guilty, a  
6 bond forfeited, a penalty imposed, or where there is issued  
7 any alias or capias warrant of arrest. The solicitor's fee  
8 shall be in addition to and not in lieu of any other fees or  
9 costs. The solicitor's fee shall not be waived or remitted  
10 unless the defendant proves to the reasonable satisfaction of  
11 the sentencing judge that the defendant is not capable of  
12 paying the fee within the reasonably foreseeable future.

13 Section 3. The solicitor's fee may be expended, as  
14 the district attorney sees fit, for the payment of any and all  
15 expenses incurred by the district attorney for law enforcement  
16 and in the discharge of the duties of the office.

17 Section 4. This act shall become effective  
18 immediately following its passage and approval by the  
19 Governor, or its otherwise becoming law, and upon the  
20 ratification of a constitutional amendment authorizing the  
21 Legislature to provide for additional court costs in Etowah  
22 County.