

1 HB514
2 176526-1
3 By Representative Coleman
4 RFD: Judiciary
5 First Read: 07-APR-16

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8 SYNOPSIS: Under existing general law, the circuit
9 clerk serving the Bessemer Cut-off Division of the
10 Tenth Judicial Circuit is titled deputy circuit
11 clerk.

12 This bill would rename the circuit clerk
13 serving the Bessemer Cut-off Division of the Tenth
14 Judicial Circuit as the Circuit Clerk of the
15 Bessemer Division.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

20
21 To amend Sections 12-17-80 and 12-17-98, Code of
22 Alabama 1975, to rename the deputy circuit clerk serving the
23 Bessemer Cut-off Division of the Tenth Judicial Circuit as the
24 Circuit Clerk of the Bessemer Division.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Sections 12-17-80 and 12-17-98 of the
27 Code of Alabama 1975, are amended to read as follows:

1 "§12-17-80.

2 "Clerks and registers of the circuit court shall be
3 paid by the state. The ~~deputy circuit clerk serving the~~
4 ~~Bessemer cut-off division of the tenth judicial circuit~~
5 Circuit Clerk of the Bessemer Division shall for all purposes
6 be deemed a circuit clerk and register and shall be elected as
7 provided for by Section 12-17-98. Employees in the offices of
8 the circuit clerks and registers, including employees serving
9 district courts, shall be paid by the state beginning October
10 1, 1977. Employees in the offices of clerks and registers
11 shall be paid by the county through September 30, 1977.

12 "§12-17-98.

13 "At the general election held on the first Tuesday
14 after the first Monday in November, 1982, and every six years
15 thereafter, there shall be elected by the qualified voters of
16 the territory over which the circuit court of the ~~tenth~~
17 ~~judicial circuit~~ Tenth Judicial Circuit sitting at Bessemer
18 has and exercises jurisdiction a deputy clerk of the circuit
19 court, who shall hold office for six years and until his or
20 her successor is elected and qualified. ~~He shall~~ Commencing on
21 the effective date of the act amending this section, the
22 deputy clerk of the circuit court shall be known as the
23 Circuit Clerk of the Bessemer Division. The Circuit Clerk of
24 the Bessemer Division, at the time of ~~his~~ election and during
25 his or her entire term of office, shall reside within and be a
26 qualified voter of the territory from which ~~he is~~ elected.
27 ~~Such deputy clerk shall perform the same duties and exercise~~

1 ~~the same authority under the supervision of the circuit court~~
2 ~~when being held at said place as if he were the circuit clerk.~~
3 Before entering upon the duties of ~~his~~ the office ~~such deputy~~
4 ~~clerk~~ the Circuit Clerk of the Bessemer Division shall take
5 and subscribe to the same oath of office, and enter into the
6 same bond ~~as circuit court clerks of the state,~~ and shall be
7 subject to the same liabilities, perform the same duties, and
8 exercise the same authority under the supervision of the
9 circuit court as other circuit court clerks of the state. In
10 addition to the duties and authorities ~~hereinbefore~~ provided
11 in this section ~~set out,~~ ~~such deputy clerk~~ the Circuit Clerk
12 of the Bessemer Division shall perform for ~~said~~ the division
13 ~~of said court~~ the duties of register of ~~said court at said~~
14 ~~place~~ the division."

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