

1 HB559
2 126133-5
3 By Representative Wallace (N & P)
4 RFD: Local Legislation
5 First Read: 27-APR-11

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ENROLLED, An Act,

Relating to Chilton County; to provide for the assessment and collection of an additional court cost in criminal, quasi-criminal, and traffic cases; and providing for the distribution of the court cost.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) In all criminal, quasi-criminal, and traffic cases in district, circuit, and municipal courts in Chilton County, there shall be taxed as costs an additional ten dollars (\$10) in each case. The additional court costs shall be collected in all cases where the defendant is adjudged guilty, a bond forfeited, a penalty imposed, or where there is issued any alias or capias warrant of arrest. The court cost assessed and collected herein shall be in addition to and not in lieu of any other fees or costs. The court cost fee shall not be waived or remitted unless the defendant proves to the reasonable satisfaction of the sentencing judge that the defendant is not capable of paying the fee within the reasonable foreseeable future.

(b) The court cost assessed by this section shall be distributed monthly to the Public Safety Technology Fund, which shall be created in the county treasury. The fund shall be administered by the District Attorney of Chilton County. The moneys disbursed from the fund may be used by the chief of

1 police, Director of Public Safety, or sheriff of the
2 appropriate law enforcement agency for legitimate law
3 enforcement technology or communication purposes. The funds
4 may not be used for salaries or employee benefits.

5 (c) The Public Safety Technology Fund shall be
6 disbursed annually no later than the 15th of November of each
7 year expended only upon approval by the district attorney or
8 his or her designee.

9 (d) The Public Safety Technology Fund will provide
10 supplemental funding for any municipal or county law
11 enforcement agency in Chilton County that employs a minimum of
12 five full-time sworn law enforcement officers.

13 (e) The district attorney shall retain annually an
14 administrative cost totaling 20 percent of the gross revenues
15 of the fund for the preceding fiscal year. The district
16 attorney shall retain 10 percent for the operation of his or
17 her office, and he or she shall distribute the remaining 10
18 percent as follows: Five percent to the Chilton County Circuit
19 Clerk's Office and five percent to be divided equally between
20 all municipalities meeting the requirements in subsection (d)
21 for the operation of each municipal court office.

22 (f) The Public Safety Technology Fund, less the 20
23 percent that is retained by the district attorney pursuant to
24 subsection (e), shall be divided by the total number of
25 full-time sworn law enforcement officers employed at each

1 participating agency each year and that number of full-time
2 officers shall be multiplied by the total number of gainfully
3 employed sworn law enforcement officers at each authorized
4 agency each year.

5 (g) The establishment of the Public Safety
6 Technology Fund as provided in this act and the use of the
7 funds shall in no way diminish or take the place of any other
8 sources of income established for the chief of police,
9 Director of Public Safety, or the sheriff for the operation of
10 his or her office.

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

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 03-MAY-11.

Greg Pappas
Clerk

Senate

25-MAY-11

Passed