

1 HB586
2 157410-3
3 By Representatives Johnson (K) and Baughn (N & P)
4 RFD: Local Legislation
5 First Read: 11-MAR-14

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ENROLLED, An Act,

Relating to Winston County; to increase the fee for service of process; to provide for the distribution of the fees; and to provide a referendum on this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall only apply to Winston County.

Section 2. (a) In addition to all other charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the criminal division of the district and circuit courts of Winston County shall collect a service of process fee of twenty dollars (\$20) on each document requiring personal service of process.

(b) In addition to all other charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the civil division of the district and circuit courts of Winston County shall collect a service of process fee of twenty dollars (\$20) on each document requiring personal service of process.

(c) The court official designated in Winston County by law for the respective courts shall collect the service of process fee designated in subsections (a) and (b) and remit the fees as follows: Ten dollars (\$10) of each fee collected shall be distributed to the Winston County Commission for

1 deposit in the Winston County Law Enforcement Fund to be used
 2 for law enforcement purposes and the remaining ten dollars
 3 (\$10) shall be distributed to the Circuit Clerk's Fund to be
 4 used for the operation of the clerk's office.

5 (d) The disposition of the fees in this section
 6 shall be reported by the designated Winston County court
 7 official annually to the Winston County Commission, who shall
 8 ensure that the information is made available on the
 9 Commission's website and to the public upon request.

10 Section 3. Sections 1 and 2 of this act shall become
 11 operative only if approved by a majority of the qualified
 12 electors of Winston County who vote in an election to be held
 13 on the day designated by the Judge of Probate of Winston
 14 County. The notice of the election shall be given by the judge
 15 of probate, and the election shall be held, conducted, and the
 16 results canvassed in the manner as other county elections. The
 17 election shall be held in conjunction with the next regularly
 18 scheduled state or local election to be held in the county.
 19 The question shall be, "Do you favor the adoption of Act ____,
 20 of the _____ Session of the Alabama Legislature, providing for
 21 a service of process fee of twenty dollars (\$20) on each
 22 document requiring personal service of process in the criminal
 23 and civil division of the district and circuit courts in the
 24 county and for the distribution of the proceeds to the Law
 25 Enforcement Fund and the Circuit Clerk's Fund? Yes () No ()

1)" The county shall pay any costs and expenses not otherwise
2 reimbursed by a governmental agency which are incidental to
3 the election. If a majority of the votes cast in the election
4 are "Yes," Sections 1, 2, and 3 shall become operative
5 immediately. If the majority of the votes are "No," this act
6 shall be repealed and shall have no further effect. The Judge
7 of Probate of Winston County shall certify the results of the
8 election to the Secretary of State.

9 Section 4. All laws or parts of laws which conflict
10 with this act are repealed.

11 Section 5. 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 18-MAR-14.

Jeff Woodard
Clerk

Senate	03-APR-14	Amended and Passed
House	03-APR-14	Concurred in Senate Amendment