

1 HB660  
2 131454-1  
3 By Representative DeMarco  
4 RFD: Judiciary  
5 First Read: 24-MAY-11

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8 SYNOPSIS: Under existing law, reasonable  
9 accommodations are required for a disabled  
10 plaintiff, defendant, or witness in court  
11 proceedings.

12 This bill would further provide for  
13 reasonable accommodations for jurors.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 To amend Section 12-1-23 of the Code of Alabama  
20 1975, relating to reasonable accommodations for certain  
21 persons in court proceedings; to further provide for  
22 reasonable accommodations for jurors.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 12-1-23 of the Code of Alabama  
25 1975, is amended to read as follows:

26 "§12-1-23.

1           "(a) If any ~~plaintiff, defendant, or party,~~ witness,  
2           or juror in any proceeding before the district court, circuit  
3           court, appellate court, or grand jury is in need of special  
4           services or equipment as required by the Americans with  
5           Disabilities Act [P.L. 101-366], the court shall make every  
6           effort to make reasonable accommodation for the services or  
7           equipment to allow the person to fully participate in the  
8           proceedings. All costs for the services or equipment shall be  
9           approved in advance by the court.

10           "(b) The costs incurred by the district, circuit, or  
11           appellate court providing special services or equipment, when  
12           approved by the court in advance, shall be forwarded by the  
13           clerk of the court to the State Comptroller to be paid out of  
14           funds within the State General Fund known as "court assessed  
15           costs not provided for." Nothing in this section shall  
16           prohibit the court from taxing the costs against one or more  
17           of the parties for immediate payment or from requiring  
18           reimbursement to the state at a later date, if not otherwise  
19           prohibited by law."

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