

HB70 ENROLLED



1 3PG1EE-2

2 By Representatives Rehm, Lee, Sorrells, Clouse (N & P)

3 RFD: Local Legislation

4 First Read: 07-Mar-23

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HB70 Enrolled

1 Enrolled, An Act,

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4 Relating to Houston County; to authorize the
5 appointment of temporary judges of probate to serve
6 contemporaneously with the judge of probate under certain
7 circumstances; and to provide for compensation for temporary
8 judges of probate under certain circumstances.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. (a) The Judge of Probate of Houston County
11 may appoint from the qualified electors of Houston County one
12 or more temporary judges of probate to serve contemporaneously
13 with him or her when the elected judge of probate finds that
14 the temporary appointments are necessary due to calendar
15 congestion, complexity of issues, the prospects of an unduly
16 long trial, or caseload management.

17 (b) No temporary appointment shall be for a term longer
18 than 90 days.

19 (c) A temporary judge of probate may be appointed for
20 as many successive 90-day periods or fractions thereof as
21 might be necessary, but shall not serve more than 200 days
22 during any fiscal year.

23 (d) Any qualified employee of the court who is licensed
24 to practice law in the state is eligible for an appointment as
25 a temporary judge of probate.

26 (e) All temporary judges of probate shall have the
27 jurisdiction and authority and shall discharge the duties of
28 the judge or probate, and the judgments, orders, and decrees



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29 made or rendered by any temporary judge of probate shall be
30 entered on the records of the probate court and shall have the
31 force and effect and be subject to revision or appeal or other
32 revisory remedy of judgments, orders, and decrees of the
33 probate court or of the judge of probate.

34 (f) Neither the regularly elected judge of probate, nor
35 the surety on his or her bond, shall be responsible for any of
36 the acts, failures to act, reports, or decisions made by any
37 temporary judge of probate, or any of the acts or failures to
38 act of any employee in the probate court during the tenure of
39 the temporary judge of probate.

40 (g) Compensation for temporary judges of probate shall
41 be fifty dollars (\$50) per hearing to be paid from the
42 discretionary fund of the judge of probate, unless the
43 temporary judge of probate is an employee of the court, in
44 which case the employee shall not receive any compensation
45 under the pay plan established by the rules of the Houston
46 County Personnel Board.

47 Section 2. This act shall become effective immediately
48 following its passage and approval by the Governor, or its
49 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 11-Apr-23.

John Treadwell
Clerk

Senate

20-Apr-23

Passed