

1 HB716
2 141237-1
3 By Representative Howard (N & P)
4 RFD: Local Legislation
5 First Read: 19-APR-12

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8 SYNOPSIS: Under existing law, in circuit and district
9 court civil cases, a service fee of ten dollars is
10 collected for each defendant in excess of one when
11 personal service is required.

12 In addition to this or any other service
13 fee, this bill would create an additional service
14 fee in Perry County of ten dollars in circuit and
15 district court civil cases that is collected for
16 each defendant in excess of one when personal
17 service is required, with the increase of funds to
18 be distributed to Law Enforcement.

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20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 Relating to Perry County providing for the
25 assessment and collection of the law enforcement defenders
26 service fee relating to circuit and district court defendant
27 service fees in Circuit and District court civil cases that is

1 collected for each defendant in excess of one when personal
2 service is required; and to provide for how the additional
3 funds shall be distributed.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. (a) The following defendant service fees
6 shall be collected in civil cases in Circuit court and
7 District court: For each defendant in excess of one, when
8 personal service is required, there shall be collected a
9 service fee of ten dollars (\$10), hereafter referred to as the
10 law enforcement defenders fee, except, where cost of such the
11 service shall be collected as the service fee. All service
12 fees shall be paid at the time of filing; except, that
13 prepayment shall not be required if the court finds that
14 payment of the fee will constitute a substantial hardship. A
15 verified statement, signed by the plaintiff and approved by
16 the court, shall be filed with the clerk of court attesting to
17 such substantial hardship.

18 (b) The Law Enforcement Defendants Fee for personal
19 service collected in civil cases shall be distributed monthly
20 as follows; three dollars (\$3) of each service fee shall be
21 paid to the county general fund in the county where the case
22 was filed, three dollars (\$3) shall be paid to the Peace
23 Officers Annuity and Benefit Fund, two dollars (\$2) shall be
24 paid to the Solicitors Fund in the county the case was filed,
25 one dollar (\$1) to the Sheriff's Fund in the county where the
26 case was filed and the balance thereof shall be paid to the
27 State General Fund.

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