

1 SB294
2 183629-1
3 By Senator Ward
4 RFD: Judiciary
5 First Read: 09-MAR-17

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8 SYNOPSIS: This bill would provide for the volunteer
9 transfer of municipal court cases under certain
10 circumstances.

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12 A BILL
13 TO BE ENTITLED
14 AN ACT

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16 Relating to municipal courts; to provide for the
17 volunteer transfer of municipal court cases under certain
18 circumstances.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) The presiding judge of a circuit,
21 upon consultation with the district attorney, may provide for
22 the voluntary transfer of a case from a municipal court of the
23 jurisdiction to the district court if all of the following
24 apply:

25 (1) The defendant qualifies for a pretrial diversion
26 program, mental health court, drug court, veteran court, or
27 similar program.

1 (2) The county district or circuit court offers a
2 pretrial diversion program, mental health court, drug court,
3 veteran court, or similar program.

4 (3) The municipal court does not offer a pretrial
5 diversion program, mental health court, drug court, veteran
6 court, or similar program.

7 (b) A case so transferred shall become the exclusive
8 jurisdiction of the district and circuit courts, and shall be
9 prosecuted under the state law charged by the municipality.

10 (c) The municipal court and the defendant shall each
11 retain the right to object to any such transfer. Upon such
12 objection the case shall not be transferred.

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