

1 HB735
2 141360-1
3 By Representative Jones (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 19-APR-12

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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, relating to
10 Covington County, to further provide for the law
11 library fee in the county and to ratify, approve,
12 validate and confirm any court costs levied
13 pursuant to local law enacted prior to the adoption
14 of this amendment.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to Covington County; proposing an amendment
21 to the Constitution of Alabama of 1901, to further provide for
22 the law library fee in the county and to ratify, approve,
23 validate and confirm court costs levied pursuant to local law
24 enacted prior to the adoption of this amendment.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The following amendment to the
27 Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 (a) In addition to any court costs or fees now or
5 hereafter authorized, and notwithstanding any other provisions
6 of the Constitution including, without limitation, Sections
7 96, 104, and 105, there shall be in Covington County, in each
8 civil or quasi-civil action at law, suit in equity, criminal,
9 or quasi-criminal case or any other proceeding filed in,
10 arising in, or brought by appeal, certiorari, or otherwise in
11 the circuit court, inferior court, or other court in the
12 county, including municipal courts, there shall be taxed as
13 part of the costs the sum of twelve dollars (\$12). The fees
14 taxed under this section shall be collected as other costs in
15 such cases are collected; and when collected by the clerk or
16 other collecting officers of such courts, including the
17 register of the circuit court, shall be paid to the treasurer
18 or depository as herein set forth. The sums so paid over to
19 the county treasury or depository shall be maintained in a
20 separate account in the county treasury or depository
21 designated as the county law library fund. The funds shall be
22 expended by the judges of the circuit court of the county for
23 establishing, maintaining, equipping, and operating a law
24 library within the county and for the administration of the
25 courts in the circuit. The judges shall authorize the county
26 treasurer to draw warrants on the county treasury or
27 depository in making expenditures for the purposes

1 contemplated in this section and shall indicate on the
2 warrants the fund against which the warrants are drawn. The
3 items of costs referred to above shall be designated as law
4 library fees; and when any part of the costs in a case has
5 been paid, the amount necessary for the payment of the fee
6 shall be applied thereto before applying any of the amount
7 paid as costs to any other item of costs. On or before the
8 tenth day of each month, the clerks or other collecting
9 officers of the courts, including the register of the circuit
10 court, shall pay over to the county treasurer or depository
11 all amounts collected as law library fees prior to the first
12 day of the month. The management of the law library is rested
13 in the judges of the circuit court in the county. All books or
14 other property purchased with the funds produced by this
15 section shall be the property of the county. The court costs
16 levied pursuant to this amendment shall be in lieu of the
17 court costs levied pursuant to Act 1983-68 and said act shall
18 be inoperable following the effective date of this amendment.

19 (b) Any local law enacted prior to the effective
20 date of this amendment which in whole or in part regulate
21 costs and charges of courts in Covington County are hereby in
22 all things ratified, approved, validated and confirmed as of
23 the date of their enactment any provisions of the Constitution
24 of Alabama 1901 to the contrary notwithstanding. Any actions
25 taken or payments made in accordance with the provisions of
26 said laws are hereby ratified, approved, validated and
27 confirmed.

1 Section 2. An election upon the proposed amendment
2 shall be held in accordance with Amendment 555 to the
3 Constitution of Alabama of 1901, now appearing as Section
4 284.01 of the Official Recompilation of the Constitution of
5 Alabama of 1901, as amended, and the election laws of this
6 state.

7 Section 3. The appropriate election official shall
8 assign a ballot number for the proposed constitutional
9 amendment on the election ballot and shall set forth the
10 following description of the substance or subject matter of
11 the proposed constitutional amendment:

12 "Relating to Covington County, proposing an
13 amendment to the Constitution of Alabama of 1901, to further
14 provide for the law library fee in the county and to ratify,
15 approve, validate and confirm any court costs levied pursuant
16 to local law enacted prior to the adoption of this amendment.

17 "Proposed by Act _____"

18 This description shall be followed by the following
19 language:

20 "Yes () No ()."