

1 SB471
2 146795-2
3 By Senator Brewbaker (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 25-APR-13

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Montgomery County; to provide for
14 service of process in Montgomery County; to increase the fee
15 for civil or criminal documents with certain exceptions; and
16 to provide for the disposition of funds.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall only apply to Montgomery
19 County.

20 Section 2. (a) In addition to all existing charges,
21 fees, judgments, and costs of court, in the criminal division
22 of the district and circuit courts of Montgomery County, an
23 additional service of process fee of thirty dollars (\$30) per
24 document for service or attempted service shall be imposed.

25 (b) In addition to all existing charges, fees,
26 judgments, and costs of court, in the civil division of the
27 district and circuit courts of Montgomery County, an

1 additional service of process fee of thirty dollars (\$30) for
2 service or attempted service per document shall be imposed.

3 (c) The court official designated in Montgomery
4 County by law for the respective courts shall collect the
5 service of process fee designated in subsections (a) and (b)
6 and shall remit the fees collected to the Montgomery County
7 Commission to be deposited in the county general fund.

8 Notwithstanding the foregoing, the fee shall not be imposed
9 and collected if the court finds payment of the fee will
10 create a substantial hardship. A verified statement signed by
11 the person requesting service and approved by the court
12 attesting the substantial hardship shall be filed with the
13 clerk of the court.

14 (d) The district attorney, law enforcement, and
15 grand juries shall be exempt from payment of the fees provided
16 in this act.

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