

1 HB422
2 156306-1
3 By Representatives Moore (M), Rogers, Robinson (O), Scott,
4 Coleman-Evans and McAdory (N & P)
5 RFD: Jefferson County Legislation
6 First Read: 06-FEB-14

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Birmingham in Jefferson
14 County; providing for the assessment and collection of a
15 prosecutor's fee in the municipal court of the City of
16 Birmingham in all criminal and traffic cases in an amount
17 equal to the fees and court costs payable to the Fair Trial
18 Tax Fund in criminal cases; and providing for the disbursement
19 of the funds.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. In all traffic and criminal cases in the
22 municipal court of the City of Birmingham, a docket fee,
23 hereinafter referred to as a prosecutor's fee, shall be
24 assessed in each case. The prosecutor's fee shall be in lieu
25 of any other prosecutor's fee or solicitor's fee currently
26 assessed. The fees, when collected, shall be distributed
27 monthly to the General Fund of the City of Birmingham. The

1 prosecutor's fee shall be equal to all docket fees or court
2 costs which are assessed upon an adjudication of guilt in a
3 criminal case and distributed to the Fair Trial Tax Fund.

4 Section 2. The prosecutor's fee shall be collected
5 in all criminal cases where the defendant is adjudged guilty,
6 a bond forfeited, a penalty imposed, or where there is issued
7 an alias or capias warrant of arrest. The prosecutor's fee
8 shall be in addition to and not in lieu of any other fees or
9 costs. The prosecutor's fee shall not be waived or remitted
10 unless the defendant proves to the reasonable satisfaction of
11 the sentencing judge that the defendant is not capable of
12 paying the fee within the reasonable foreseeable future.

13 Section 3. The prosecutor's fee may be expended by
14 the governing body of the City of Birmingham for the payment
15 of any and all expenses incurred for the prosecution of
16 traffic and criminal cases or any legitimate law enforcement
17 purpose.

18 Section 4. All laws or parts of laws which conflict
19 with this act are repealed.

20 Section 5. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.