

1 HB300
2 215243-2
3 By Representatives Shiver, Faust, Baker and Simpson (N & P)
4 RFD: Baldwin County Legislation
5 First Read: 08-FEB-22

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ENROLLED, An Act,

Relating to Baldwin County; to amend Section 45-2-231.90, providing for a service of process fee for documents delivered by the sheriff and the distribution of proceeds; to provide further for the amount of the fee; and to provide further for the distribution and use of proceeds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-2-231.90, Code of Alabama 1975, is amended to read as follows:

"§45-2-231.90.

"(a) This section shall only apply to Baldwin County.

"(b) The Baldwin County Sheriff Service of Process Serving Fund is created and hereinafter referred to in this section as the fund.

"(c) The Sheriff of Baldwin County, except for warrants for arrest, may contract with or enter into contract or agreement with a private, public, or governmental entity for the purpose of service of process.

"(d) (1) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the criminal division of the district and circuit courts of Baldwin County, shall collect a

1 service of process fee of ~~twenty dollars (\$20)~~ thirty dollars
2 (\$30) per document which shall be paid into the fund.

3 "(2) In addition to all existing charges, fees,
4 judgments, and costs of court, the clerk, sheriff, or other
5 appropriate court official in the civil division of the
6 district and circuit courts of Baldwin County, shall collect a
7 service of process fee of ~~twenty dollars (\$20)~~ thirty dollars
8 (\$30) per document which shall be paid into the fund.

9 "(3) The court official designated in Baldwin County
10 by law for the respective courts shall collect the service of
11 process fee designated in subdivisions (1) and (2) and shall
12 retain ~~two dollars (\$2)~~ three dollars (\$3) of each fee for
13 deposit in the circuit clerk's fund for the operation of the
14 office of circuit clerk or for compensation or reimbursement
15 of mileage incurred by jurors. The remainder of the fees
16 collected shall be remitted to the sheriff for deposit in the
17 Sheriff's Service of Process Serving Fund.

18 "(e) (1) The sheriff may use the monies generated by
19 this section for ~~law enforcement purposes in Baldwin County,~~
20 ~~as the sheriff sees fit, including contracting with or~~
21 ~~entering into a contract or agreement with a private, public,~~
22 ~~or governmental entity for service of process of documents~~
23 ~~from the civil or criminal division of the district or circuit~~
24 ~~court.~~ any lawful purpose relating to the operation of the

1 office of sheriff, including, but not limited to, any of the
2 following:

3 "a. The operation of the office of sheriff, the
4 jail, or other correction center; judicial protective
5 services; the purchase of office supplies and equipment,
6 communications equipment, personal equipment, uniforms, and
7 automobiles; salaries, salary supplements, expense allowances,
8 and professional dues; training; and related activities.

9 "b. The construction, renovation, furnishing, and
10 maintenance of offices, buildings, and grounds operated by the
11 office of sheriff.

12 "c. Any other expenses by the sheriff related to the
13 enhancement of law enforcement and corrections in the county.

14 "(2) The funds shall not revert to the general fund
15 of the county at the end of the fiscal year."

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

