

1 HB81
2 99579-2
3 By Representative Graham (N & P)
4 RFD: Local Legislation
5 First Read: 03-FEB-09
6 PFD: 01/13/2009

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2 ENROLLED, An Act,

3 Relating to Tallapoosa County; providing for the
4 assessment and collection of a solicitor's fee payable to the
5 Solicitor's Fund in all criminal cases in an amount equal to
6 the fees and court costs payable to the Fair Trial Tax Fund in
7 criminal cases; and providing for the disbursement of the
8 fund.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. In all juvenile, traffic, criminal, and
11 quasi-criminal cases in the juvenile, district, circuit, and
12 municipal courts in Tallapoosa County, a docket fee,
13 hereinafter referred to as a solicitor's fee, shall be
14 assessed in each case. The fees, when collected, shall be
15 distributed monthly to the Solicitor's Fund or District
16 Attorney's Fund in the county where the fee is collected or to
17 the fund that may be hereafter prescribed by law for the
18 solicitor's fee. The solicitor's fee shall be in an amount
19 equal to all docket fees or court costs which are assessed
20 upon an adjudication of guilt in a criminal case and
21 distributed to the Fair Trial Tax Fund.

22 Section 2. The solicitor's fee shall be collected in
23 all criminal cases where the defendant is adjudged guilty, a
24 bond forfeited, a penalty imposed, or where there is issued
25 any alias or capias warrant of arrest. The solicitor's fee

1 shall be in addition to and not in lieu of any other fees or
2 costs. The solicitor's fee shall not be waived or remitted
3 unless the defendant proves to the reasonable satisfaction of
4 the sentencing judge that the defendant is not capable of
5 paying the fee within the reasonably foreseeable future.

6 Section 3. The solicitor's fee may be expended, as
7 the district attorney sees fit, for the payment of any and all
8 expenses incurred by the district attorney for law enforcement
9 and in the discharge of the duties of the office.

10 Section 4. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law, and upon the
13 ratification of a constitutional amendment in Tallapoosa
14 County authorizing the Legislature to provide for additional
15 court costs in the county.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 10-FEB-09.

Greg Pappas
Clerk

Senate

07-APR-09

Passed