

1 HB598
2 185255-1
3 By Representative Wood (N & P)
4 RFD: Local Legislation
5 First Read: 04-MAY-17

9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to Calhoun County; to provide for a booking
14 fee to be imposed on each person booked into the Calhoun
15 County Jail and subsequently convicted of a crime; to provide
16 for the collection of the booking fee; and to provide for the
17 distribution of the revenues derived from the booking fee.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) In Calhoun County, a booking fee in
20 the amount of thirty dollars (\$30) shall be assessed against
21 and collected from each person booked or incarcerated into the
22 Calhoun County Jail and subsequently convicted. The fee
23 assessed pursuant to this section shall be in addition to any
24 fines, court costs, or other charges imposed.

25 (b) The booking fee imposed by this section shall be
26 assessed against a defendant upon conviction by a court of law
27 where the defendant is convicted. The clerk of the court shall

1 enter the amount of the fee as provided in this section on the
2 docket sheet and shall collect the fee in the same manner and
3 the same time as court costs. Notwithstanding the foregoing,
4 the fee shall not be deemed a court cost based on collection
5 by the clerk.

6 (c) The revenues derived from the booking fee shall
7 be distributed as follows: Fifteen dollars (\$15) of the fee to
8 the Calhoun County Sheriff's Department Law Enforcement Fund,
9 ten dollars (\$10) of the fee to the Calhoun County Circuit
10 Clerk's Office to the Clerk's Judicial Administration Fund to
11 be used for the purposes of the office, and five dollars (\$5)
12 of the fee to the Calhoun County General Fund.

13 (d) In any case where the booking fee provided by
14 this section is not paid, the district attorney of the county
15 may assist in the collection of the fees in the same manner as
16 court-ordered moneys. In addition, the sheriff may contract
17 for the collection of the fees and pay a portion of the fees
18 as a cost for collection.

19 (e) The sheriff may withhold moneys belonging to a
20 person who is incarcerated in the Calhoun County Jail equal to
21 the amount of the booking fee which shall be applied toward
22 the assessment of the booking fee. If no conviction results,
23 the moneys withheld shall be repaid to the defendant after
24 dismissal of all charges or acquittal.

25 (f) Any revenues derived from this section shall be
26 in addition to other funding sources for the Calhoun County
27 Sheriff's Department and the Calhoun County District

1 Attorney's Office and shall not reduce or replace any funding
2 from any other sources.

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