

DISTRIBUTION SCHEDULE OF COSTS, FEES AND FINES IN MUNICIPAL COURTS
(Explanation of Distribution Schedule on Pages 2 thru 6)

TRAFFIC COURT COSTS IN MUNICIPAL COURTS

\$ 17.00	Municipal General Fund	§12-14-14
\$ 5.00	Alabama Peace Officers' Annuity and Benefit Fund	Act 2012-535, §§36-21-67, 12-14-14
\$ 10.00	Municipal Court Judicial Administration Fund	Act 2012-535
\$ 9.34	State Judicial Administration Fund	Act 2012-535
\$ 2.33	Presiding Circuit Judge's Judicial Administration Fund	Act 2012-535
\$ 2.33	Circuit Clerk's Judicial Administration Fund	Act 2012-535
\$ 16.00	Fair Trial Tax Fund	§§12-19-250, 12-19-172
\$ 2.00	Crime Victims' Compensation Fund	§15-13-17
\$ 21.00	State General Fund	§12-14-14
\$ 8.50	State Driver's Fund	§12-14-14
\$ 11.00	Alabama DNA Database Fund	§36-18-32
\$ 1.00	Citizenship Trust Fund	§36-18-32
\$ 3.00	Advanced Technology and Data Exchange Fund	Act 99-427
\$108.50	Total Traffic Court Costs (excluding DUI cases)	

DUI CASES: COLLECT THE FOLLOWING COURT COSTS IN ADDITION TO THE TRAFFIC COURT COSTS SHOWN ABOVE

\$ 10.00	Criminal History Processing Fee – Automated Fingerprint	§12-19-180, Act 97-945
\$ 5.00	Criminal History Processing Fee – Court Automation	§12-19-180, Act 97-945
\$ 10.00	Criminal History Processing Fee – CJIS Automation Fund	§12-19-180, Act 97-945
\$ 5.00	Criminal History Processing Fee – Forensic Sciences Forensic Services Fund	§12-19-180, Act 97-945

Ignition Interlock Costs: Collect the following Seventy-five dollar (\$75) Cost in addition to the Traffic and DUI Court Costs shown above for the first four months (on a per month basis) after conviction or installation to be divided as follows:

\$ 33.75	Alabama Interlock Indigent Fund	§32-5A-191, Act 14-222
\$ 15.00	State Judicial Administration Fund	§32-5A-191, Act 14-222
\$ 15.00	Highway Traffic Safety Fund	§32-5A-191, Act 14-222
\$ 11.25	Solicitor's Fund (District Attorney)	§32-5A-191, Act 14-222

Collect the following monthly Seventy-five dollar (\$75) Cost in addition to the Traffic and DUI Court Costs shown above for convicted defendants who do not own a vehicle or otherwise have an ignition interlock device installed for the entire period a defendant would be required to have the device installed on an automobile as follows:

\$ 75.00	Alabama Impaired Driving Prevention and Enforcement Fund	§32-5A-191.4, Act 14-222
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Pretrial Diversion: Collect the following in addition to the Traffic and DUI Court Costs shown above for defendants who have had their DUI charges dismissed for successfully completing a pretrial diversion program as follows:

\$ 100.00	Alabama Chemical Testing Training and Equipment Trust Fund	§32-5A-191, Act 14-222
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DUI Fines

\$ 100.00	ACTT&ETF	§32-5A-191, Act 96-341	\$ 200.00	ACTT&ETF	§32-5A-191-Act 99-432
\$ 100.00	Imp. Drivers' Trust Fund	§32-5A-191, Act 97-556	\$ 200.00	Imp. Drivers' Trust Fund	§32-5A-191-Act 99-432
\$ 150.00	St Gen-DUI Fines-1 st	§32-5A-191, Act 96-341	\$ 300.00	St Gen-DUI Fines-1 st	§32-5A-191, Act 99-432
\$ 400.00	St Gen-DUI Fines-2 nd	§32-5A-191, Act 96-341	\$ 800.00	St Gen-DUI Fines-2 nd	§32-5A-191, Act 99-432
\$ 900.00	St Gen-DUI Fines-3 rd	§32-5A-191, Act 96-341	\$ 1800.00	St Gen-DUI Fines-3 rd	§32-5A-191, Act 99-432

DUI Fines with Passenger Under 14

DUI Fines/0.15 BAC or greater

\$ 200.00	ACTT&ETF	§32-5A-191, Act 11-621	\$ 400.00	ACTT&EF	§32-5A-191, Act 11-621
\$ 200.00	Imp. Driver's Trust Fund	§32-5A-191, Act 11-621	\$ 400.00	Imp. Driver's Trust Fund	§32-5A-191, Act 11-621
\$ 300.00	St Gen-DUI Fines 1 st	§32-5A-191, Act 11-621	\$ 600.00	St Gen-DUI Fines 1 st	§32-5A-191, Act 11-621
\$ 800.00	St Gen-DUI Fines 2 nd	§32-5A-191, Act 11-621	\$ 1600.00	St Gen-DUI Fines 2 nd	§32-5A-191, Act 11-621
\$ 1800.00	St Gen-DUI Fines 3 rd	§32-5A-191, Act 11-621	\$ 3600.00	St Gen-DUI Fines 3 rd	§32-5A-191, Act 11-621

DUI Fines/0.15 BAC or greater with Passenger Under 14

★See DUI Fine Distribution Schedule for Partial Payments

NON-TRAFFIC COURT COSTS IN MUNICIPAL COURT

\$ 17.00	Municipal General Fund	§12-14-14
\$ 10.00	Municipal Court Judicial Administration Fund	Act 2012-535
\$ 20.00	State Judicial Administration Fund	Act 2012-535
\$ 5.00	Presiding Circuit Judge's Judicial Administration Fund	Act 2012-535
\$ 5.00	Circuit Clerk's Judicial Administration Fund	Act 2012-535
\$ 16.00	Fair Trial Tax Fund	§§12-19-250, 12-19-172
\$ 7.00	Alabama Peace Officer's Annuity and Benefit Fund	§§36-21-67-, 12-14-14
\$ 10.00	Crime Victims' Compensation Fund	§15-23-17
\$ 21.00	State General Fund	§12-14-14
\$ 10.00	Criminal History Processing Fee – Automated Fingerprint	§12-19-180
\$ 5.00	Criminal History Processing Fee – Court Automation	§12-19-180
\$ 10.00	Criminal History Processing Fee – CJIS Automation Fund	§12-19-180
\$ 5.00	Criminal History Processing Fee – Forensic Sciences/Services Fund	§12-19-180
\$ 11.00	Alabama DNA Database Fund	§36-18-32
\$ 1.00	Citizenship Trust Fund	§36-18-32
\$ 3.00	Advanced Technology and Data Exchange Fund	Act 99-427
\$156.00	Total Non-Traffic Court Costs	

DRUG-RELATED CASES: COLLECT THE FOLLOWING IN ADDITION TO THE NON-TRAFFIC COSTS SHOWN ABOVE

\$ 99.00	Alabama Forensic Services Trust Fund	§36-18-7
\$ 1.00	Municipal General Fund – Administrative Cost	§36-18-7

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UJS DRUG DOCKET FEES (unlawful possession of marijuana 2nd, possession, sale, delivery of drug paraphernalia)

\$ 15.00	Fair Trial Tax Fund	Act-99-427
\$ 5.00	Advanced Technology and Data Exchange Fund	Act-99-427
\$ 10.00	State General Fund – Pro bono Legal Service	Act-99-427
\$ 10.00	State General Fund – Unified Judicial Pay Plan	Act-99-427

BAIL BOND "FILING FEE" June 21, 2012

\$ 3.50	Municipal General Fund	Act 2012-535
\$ 15.75	Municipal Court Judicial Administration Fund	Act 2012-535
\$ 15.75	Solicitor's Fund	Act 2012-535
\$ 35.00	Total Bail Bond "Filing Fee"	

BAIL BOND FEE August 1, 2012

Where \$100 Bail Bond Fee is collected:		
\$ 21.50	Municipal General Fund	Act 2012-535
\$ 31.40	Municipal Court Judicial Administration Fund	Act 2012-535
\$ 35.32	Solicitor's Fund in the County	Act 2012-535
\$ 3.93	State General Fund	Act 2012-535
\$ 7.85	Alabama Forensic Services Trust Fund	Act 2012-535
Where \$25 Bail Bond Fee is collected:		
\$ 21.50	Municipal General Fund	Act 2012-535
\$ 1.40	Municipal Court Judicial Administration Fund	Act 2012-535
\$ 1.57	Solicitor's Fund in the County	Act 2012-535
\$ 0.18	State General Fund	Act 2012-535
\$ 0.35	Alabama Forensic Services Trust Fund	Act 2012-535

BOND FORFEITURES IN MUNICIPAL COURTS

\$ 11.00	Alabama DNA Database Fund	36-18-§32
\$ 1.00	Citizenship Trust Fund	§36-18-32

ALIAS AND CAPIAS WARRANTS

\$ 11.00	Alabama DNA Database Fund	§36-18-32
\$ 1.00	Citizenship Trust Fund	§36-18-32

COSTS, FEES AND FINES IN MUNICIPAL COURTS

June 2012

General Fund of Municipality - § 12-14-14, as amended by Act 99-427, effective June 10, 1999, provides for an increase of two dollars (\$2) for the General Fund of the Municipality. The amount of seventeen (\$17) assumes that the municipality has, by ordinance, adopted the maximum amount of \$10.00 pursuant to § 12-14-14, Code of Alabama 1975. If a municipality's ordinance sets a cost of less than \$10.00 for the municipal general fund, the \$17.00 local cost should be reduced to the total of the amount set by the ordinance plus \$5.00. The additional two dollars (\$2) which is distributed to the municipal general fund shall be used only for equipment, training, and certification of municipal court officials and employees and the fees shall not supplant existing funds designated by municipalities for equipment, education and training of court personnel.

Fair Trial Tax Fund - § 12-19-172, as amended by Act 99-427, effective June 10, 1999, provides for an increase in the tax levied and imposed on all criminal convictions or adjudications in municipal court. Fair Trial Tax increases from seven dollars (\$7) to sixteen dollars (\$16), and shall be automatically assessed and collected as all other costs are collected. Report remittance on the UJS Form MC-13, section A, Monthly Report to the State Treasurer.

Recoupment (Reimbursement) of Indigent Defense Costs - As provided in § 15-12-15, Code of Alabama 1975, and Rule 6.4(f), Alabama Rules of Criminal Procedure, a court may require a convicted defendant to pay the cost of attorney fees and expenses paid to an appointed counsel or public defender. Any funds collected should be deposited in the Fair Trial Tax Fund and utilized as provided by § 12-19-251.1, Code of Alabama 1975. These amounts should be included on line A.2 of Form MC-13, Monthly Report to the State Treasurer.

State General Fund - § 12-14-14, Code of Alabama 1975, and Act 99-427, effective June 10, 1999, provide for increases in the court costs on all convictions for violations of municipal ordinances from five dollars (\$5) to twenty-one dollars (\$21); the amount assessed and collected as cost shall be remitted to the State General Fund. Report remittance on the UJS Form MC-13, section B, Monthly Report to the State Treasurer.

State General Fund - DUI Fines - § 32-5A-191, Code of Alabama 1975, amended by Act 96-341, provides that the following amounts on all DUI convictions must be distributed **from the fine** to the State General Fund DUI Fines Fund as follows:

First Offense: \$150.00 Second Offense: \$400.00 Third Offense: \$900.00

DISTRIBUTION SCHEDULE OF COSTS, FEES AND FINES IN MUNICIPAL COURTS
(Explanation of Distribution Schedule on Pages 2 thru 6)

Act 99-432, effective September 1, 1999, provides when any person over the age of 21 years is convicted of Driving Under the Influence and a child under the age of 14 was present in the vehicle at the time of the offense, the defendant shall be sentenced to double the minimum punishment. Report remittance on the UJS Form MC-13, section C, line 3, Monthly Report to the State Treasurer. The following amounts on all DUI convictions pursuant to Act 99-432 shall be distributed **from the fine** to the State General Fund as follows:

First Offense: \$300.00 Second Offense: \$800.00 Third Offense: \$1800.00

Act 2011-621, effective September 1, 2011, provides that any person who is convicted of DUI with a BAC of 0.15 or greater shall be sentenced to double the minimum punishment. Report remittance on the UJS Form MC-13, section C, line 4, Monthly Report to the State Treasurer. The following amounts on all DUI convictions pursuant to Act 11-621 shall be distributed **from the fine** to the State General Fund as follows:

First Offense \$300.00 Second Offense \$800.00 Third Offense \$1800.00

Act 2011-621, effective September 1, 2011, also provides that any person over 21 who is convicted of DUI with a BAC of 0.15 or greater and a child under the age of 14 was present in the vehicle at the time of the offense must be sentenced to an additional doubling of the minimum punishment, thereby causing a quadrupling of the minimum fines. Report remittance on the UJS Form MC-13, section C, line 5, Monthly Report to the State Treasurer. The following fine amounts on all DUI convictions pursuant to Act 11-621 shall be distributed **from the fine** to the State General Fund as follows:

First Offense \$600.00 Second Offense \$1600.00 Third Offense \$3600.00

★See DUI Fine Distribution Chart for Partial Payments

State Drivers' Fund - § 12-14-14, Code of Alabama 1975, amended by Act 91-824 provides for an \$8.50 cost on all traffic cases adjudicated on or after October 4, 1991. This Act encompassed the **Drivers Education Penalty** - Act 91-433, which had provided for a **\$7.00 penalty** in certain traffic cases adjudicated between July 29, 1991 and October 3, 1991, as well as the **Drivers Education Training Fund**, which had provided for a \$2.00 penalty on cases adjudicated between August 17, 1987 - July 28, 1991. Clerks should collect and distribute only one of these for each case since their effective dates are in chronological sequence. Report remittance on the UJS Form MC-13, section F, Monthly Report to the State Treasurer.

Criminal History Processing Fee - § 12-19-180, Code of Alabama 1975, amended by Act 97-945, effective December 1, 1997, provides for an additional \$30.00 fee on all DUI and non-traffic cases to be distributed as follows:

\$10.00 for Public Safety Automated Fingerprint Identification System Fund
\$5.00 for Court Automation Fund
\$10.00 for Criminal Justice Information System Automation Fund
\$5.00 for Department of Forensic Sciences Services Fund

Report remittance on the UJS Form MC-13, § G, Monthly Report to the State Treasurer.

Impaired Drivers' Trust Fund - § 32-5A-191, Code of Alabama 1975, amended by Act 97-556, provides that a \$100 fine shall be credited to the Impaired Drivers' Trust Fund after deducting 5% for administrative costs. Act 99-432, effective September 1, 1999, provides when any person over the age of 21 years is convicted of Driving Under the Influence and a child under the age of 14 was present in the vehicle at the time of the offense, the defendant shall be sentenced to double the minimum punishment. Therefore, \$200 shall be distributed to the Impaired Drivers' Trust Fund, after \$5.00 has been deducted for administrative costs for cases collected on Act 99-432. Report remittance on the UJS Form MC-13, § H, Monthly Report to the State Treasurer. Act 2011-621, effective September 1, 2011, provides that any person who is convicted of DUI with a BAC of 0.15 or greater shall be sentenced to double the minimum punishment. Therefore, \$200 shall be distributed **from the fine** to the Impaired Driver's Trust Fund, after deducting \$5 for administrative costs. Additionally, Act 2011-621, effective September 1, 2011, also provides that any person over 21 who is convicted of DUI with a BAC of 0.15 or greater and a child under the age of 14 was present in the vehicle at the time of the offense must be sentenced to an additional doubling of the minimum punishment, thereby causing a quadrupling of the minimum fines. Therefore, \$400 shall be distributed **from the fine** to the Impaired Driver's Trust Fund, after deducting \$5.00 for administrative costs. Report remittance on the UJS Form MC-13, § H, Monthly Report to the State Treasurer.

★See DUI Fine Distribution Chart for Partial Payments

DNA Database Fund - § 36-18-32, Code of Alabama 1975, as amended by Act 2009-768, effective October 1, 2011, provides for a \$11.00 cost on all traffic and non-traffic cases (parking offenses excluded), bond forfeitures, and issuance of any alias or capias warrants of arrest. Such fees must be remitted to the State Comptroller with UJS Form MC-13, § I, Monthly Report to the State Treasurer.

Alabama Chemical Testing Training and Equipment Trust Fund - § 32-5A-191, Code of Alabama 1975, amended by Act 96-341, provides that the first \$100 of the fine assessed on all DUI convictions must be distributed to the Alabama Chemical Testing Training and Equipment Trust Fund. Act 99-432, effective September 1, 1999, provides when any person over the age of 21 is convicted of Driving Under the Influence and a child under the age of 14 was present in the vehicle at the time of the offense, the defendant shall be sentenced to double the minimum punishment. Therefore, the first \$200 shall be distributed to the Alabama Chemical Testing Training and Equipment Trust Fund for cases collected on Act 99-432. Act 2011-621, effective September 1, 2011, provides that any person who is convicted of DUI with a BAC of 0.15 or greater shall be sentenced to double the minimum punishment. Therefore, \$200 shall be distributed **from the fine** to the Alabama Chemical Testing Training and Equipment Trust Fund. Additionally, Act 2011-621, effective September 1, 2011, also provides that any person over 21 who is convicted of DUI with a BAC of 0.15 or greater and a child under the age of 14 was present in the vehicle at the time of the offense must be sentenced to an additional doubling of the minimum punishment, thereby causing a quadrupling of the minimum fines. Therefore, \$400 shall be distributed **from the fine** to the Alabama Chemical Testing Training and Equipment Trust Fund.

Report remittance on the UJS Form MC-13, § J, Monthly Report to the State Treasurer.

★See DUI Fine Distribution Chart for Partial Payments

DISTRIBUTION SCHEDULE OF COSTS, FEES AND FINES IN MUNICIPAL COURTS
(Explanation of Distribution Schedule on Pages 2 thru 6)

Section 32-5A-191 (m) has been amended by Act 2014-222, effective July 1, 2014 to provide that a mandatory fee of one hundred dollars (\$100) shall be collected from any individual that successfully completes any pretrial diversion or deferral program in any municipal court where the individual was charged with DUI. The one hundred dollars (\$100) shall be deposited into the Alabama Chemical Testing Training and Equipment Fund. Report remittance on the UJS Form MC-13, § J, line 6, Monthly Report to the State Treasurer.

Alabama Forensic Services Trust Fund - § 36-18-7, Code of Alabama 1975, provides that an additional \$100 fee must be assessed for any drug-related conviction as follows:

- \$1.00 for administrative costs
- \$99.00 for distribution to this fund

Report remittance on the UJS Form MC-13, § K, Monthly Report to the State Treasurer.

Drivers' License Violation Penalty - §§ 32-6-18 and 32-6-19, Code of Alabama 1975, amended by Act 98-671, effective May 6, 1998, provides for an additional \$50.00 penalty to be automatically assessed upon conviction of the statutes and rules relating to drivers' licenses (§32-6-1, §32-16-18(a), Code of Alabama 1975, driving without valid Drivers' license; §32-6-9, Code of Alabama 1975, driving without license in possession/failure to display; §32-6-12(d), Code of Alabama 1975, driving in violation of license restrictions; §32-6-13, Code of Alabama 1975, violation of promulgated rules pertaining to drivers' license of Title 32, Chapter 6, Article 1; §32-6-15(b), Code of Alabama 1975, making false affidavit to obtain duplicate Drivers' license; §32-6-18(c), Code of Alabama 1975, obtaining drivers' license by fraud; §32-6-19, Code of Alabama 1975, driving while license is suspended, canceled or revoked). The additional \$50 penalty is to be distributed as follows:

- \$25.00 for Traffic Safety Trust Fund
- \$25.00 for Peace Officers Standards and Training Commission Fund

Report remittance on the UJS Form MC-13, § L, Monthly Report to the State Treasurer.

Advanced Technology and Data Exchange Fund - Act 99-427, effective June 10, 1999, provides for an additional court costs in the amount of three dollars (\$3) which may be expended for any activities involving the administration of justice. Court Clerks shall collect and remit the fees in accordance with Rule 4, ARJA. Report remittance on the UJS Form MC-13, § M, Monthly Report to the State Treasurer.

UJS Drug Docket Fees - Act 99-427, effective June 10, 1999, provides for an additional forty dollars (\$40) court costs to be automatically assessed upon conviction or adjudication of the drug related offenses of possession of marijuana second degree; possession of drug paraphernalia; delivery; sale, manufacture of drug paraphernalia. The amount shall be distributed as follows:

- \$15.00 Fair Trial Tax Fund (3/8)
- \$5.00 Advanced Technology and Data Exchange Fund (1/8)
- \$10.00 State General Fund - Pro bono (1/4)
- \$10.00 State General Fund - UJS (1/4)

Report remittance on the UJS Form MC-13, § N, Monthly Report to the State Treasurer.

Alabama Head Injury Foundation/Child Passenger Restraint Law - § 32-5-222, as amended by Act 2006-623, effective July 1, 2006, through June 30, 2014, provides that \$15 of the **fine** shall be distributed to this fund for vouchers for size appropriate child passenger restraint systems to families of limited income. Report remittance on the UJS Form MC-13, § O, Monthly Report to the State Treasurer.

Alabama Department of Public Health- Act 2014-300, effective July 1, 2014, provides that \$15 from the **fine** shall be distributed to this fund for convictions on citations written on or after this effective date for violating § 32-5-222, Code of Alabama 1975. Report remittance on the UJS Form MC-13, § Q, Monthly Report to the State Treasurer.

The Municipal Corrections Fund (Optional) - § 11-47-7.1, Code of Alabama 1975, as amended by Act 95-401, effective July 25, 1995, and retroactive to May 3, 1994, authorizes any municipal governing body, by majority vote, to levy and assess court costs and fees up to an amount not to exceed court costs and fees in the district court of the county for a similar case. These funds must be paid into a special municipal fund, known as the "Corrections Fund," and used exclusively for the operation and maintenance of a municipal jail, court complex or any juvenile detention center.

Administrative Costs - Administrative costs should be deposited into the municipal general fund.

Housing, Maintenance, and Medical Costs - In addition to the above costs, § 14-6-22, Code of Alabama 1975, provides that all courts shall require a convicted defendant in misdemeanor/ordinance violation cases to pay housing, maintenance and actual medical costs associated with the defendant's incarceration in a county or city jail, not to exceed \$20.00 a day plus actual medical costs.

NOTE: A completed Affidavit of Substantial Hardship and Order [UJS Form C-10, (Rev 2/95)] and Attorney's Fee Declaration- Adult [Form C-62A (7/97)] should document each expenditure from the Fair Trial Tax Fund. File the Affidavit of Substantial Hardship in the defendant's case file. File copies of the completed Attorney's Fee Declarations together with the court's copy of the Monthly Report to the State Treasurer [Form MC-13 (Rev 11/2006)].

Other Local Costs - If the Alabama Legislature has established local court costs or fees for a particular county, municipality or court, these costs should be added to the amounts set out in the above §§ and distributed according to the provisions of the particular law.

DISTRIBUTION SCHEDULE OF COSTS, FEES AND FINES IN MUNICIPAL COURTS
(Explanation of Distribution Schedule on Pages 2 thru 6)

DUI Amendments: Ignition Interlock Court Costs Act 2014-222, effective July 1, 2014

Act 2014-222 provides for ignition interlock costs that the following DUI defendants are required to pay to the court clerk, under the following circumstances:

Section 32-5A-191 (r)(1) provides that defendants ordered by the court to have an ignition interlock device installed on a designated vehicle and any person who elects to have the ignition interlock device installed on a designated vehicle for the purpose of reducing a period of suspension or revocation of his or her driver's license, shall pay to the court, for each of the first four months following his or her conviction or the first four months following the installation of the ignition interlock device on his or her vehicle, seventy-five dollars (\$75) per month, which shall be divided as follows: Forty-five percent (**\$33.75**) to the Alabama Interlock Indigent Fund; Twenty percent (**\$15.00**) to the State Judicial Administration Fund administered by the Administrative Office of Courts; Twenty percent (**\$15.00**) to the Highway Traffic Safety Fund administered by the Department of Public Safety, and Fifteen percent (**\$11.25**) to the District Attorney's Solicitor Fund. **[Disbursement on each case for the first four (4) months only – on a per month basis]**

Section 32-5A-191 (r)(2) provides that in addition to paying the court clerk \$75 for the first four months following the conviction or the voluntary installation of the ignition interlock device, the defendant shall pay all costs associated with the installation, purchase, maintenance, or lease of the ignition interlock devices to an approved ignition interlock provider pursuant to the rules of the Department of Forensic Sciences.

Section 32-5A-191 (m) has been amended to provide that a mandatory fee of one hundred dollars (\$100) shall be collected from any individual that successfully completes any pretrial diversion or deferral program in any municipal court where the individual was charged with DUI. The one hundred dollars (\$100) shall be deposited into the Alabama Chemical Testing Training and Equipment Fund.

Act 2014-222 also amends Section 32-5A-191.4 and provides in subsection (i)(6) that any defendant who does not own a vehicle or otherwise have an ignition interlock device installed on a vehicle shall be required to pay seventy-five dollars (\$75) per month for the entire period the defendant is required or elects to have an ignition interlock device; monies paid pursuant to this subsection shall be paid to the court clerk and shall be deposited in the Alabama Impaired Driving Prevention and Enforcement Fund in the State Treasury to be used by the Department of Public Safety for impaired driving education and enforcement.

Act 2014-222 amends Section 32-5A-191.4, subsection (i)(4) to provide that any offender granted indigency status for the purpose of ignition interlock shall pay one-half of the costs associated with installing and maintaining an interlock device for a period of no more than two years at which time the offender shall pay the full remaining cost for any sentence left for ignition interlock.

Act 2012-535 Explanation of Increased Court Costs and New Bail Bond Filing Fees

Court Costs Increase

Act 2012-535, effective June 21, 2012, increases municipal court costs as follows:

For **Non-Traffic Misdemeanor/Municipal Ordinance cases**, assess an additional **\$40.00** court cost and distribute as follows: **\$10 to the "Municipal Court Judicial Administration Fund"** (use the attached Monthly Reporting Form MC-19) and place in a separate bank account to be expended by the Presiding Municipal Judge and/or Municipal Court Clerk for the "operation of the municipal court"; **\$20 to the "State Judicial Administration Fund"** (use the attached 'Monthly Remittance Form MC-18, make the check payable to the 'State Judicial Administration Fund' and send to the Administrative Office of Courts (Attn: Joy Evans); **\$5 to the "Presiding Circuit Judge's Judicial Administration Fund"** (use the attached Monthly Reporting Form MC-19); and **\$5 to the "Circuit Clerk's Judicial Administration Fund"** (use the Monthly Reporting Form MC-19).

For **Traffic cases** (excluding "parking", "seat belt" and "open container"), assess an additional **\$26.00** and distribute as follows: **\$2 to the "Alabama Peace Officer's Annuity and Benefit Fund"** and remit check to that fund using the attached Monthly Remittance Form APO-1; **\$10 to the "Municipal Court Judicial Administration Fund"** (use the attached Monthly Reporting Form MC-19) and place in a separate bank account to be expended by the Presiding Municipal Judge and/or Municipal Court Clerk for the "operation of the municipal court"; **\$9.34 to the "State Judicial Administration Fund"** (use the attached Monthly Remittance Form MC-18, make the check payable to the 'State Judicial Administration Fund' and send to the Administrative Office of Courts (Attn: Joy Evans); **\$2.33 to the "Presiding Circuit Judge's Judicial Administration Fund"** (use the attached Monthly Reporting Form MC-19); and **\$2.33 to the "Circuit Clerk's Judicial Administration Fund"** (use the attached Monthly Reporting Form MC-19).

New Bail Bond 'Filing Fee' June 21, 2012

Act 2012-535, effective June 21, 2012, creates the 'Bail Bond Filing Fee' as follows: **\$35.00** on each executed bond (Applies to all MISDEMEANOR cases and 'Serious Traffic Offenses' in Title 32-5A (DUI, BUI, Reckless Driving) and distribute as follows:

\$3.50 to the Municipal General Fund; \$15.75 to the "Municipal Court Judicial Administration Fund"(use the attached Monthly Reporting Form for Act 2012-235); and \$15.75 to the "Solicitor's Fund" in the county. NOTE that where multiple charges arise out of the same incident, the filing fee shall be assessed only on one charge.

Act 2012-535 provides the following procedure for the collection of this 'filing fee': the \$35.00 fee applies to the following types of bail: 1) cash; 2) personal recognizance; 3) signature bonds (including signature bonds on electronic traffic citations for 'serious traffic offenses' enumerated in Title 32, Chapter 5A, such as DUI, BUI and Reckless Driving, as well as personal recognizance and signature bonds on non-traffic citations); 4) appearance bonds, with or without surety; 5) a bond executed by a professional surety company or professional bail company using professional bondsmen; and 6) judicial public bail. (NOTE that no fee shall be assessed where the defendant is released on judicial public bail or a personal recognizance bond or a documented medical reason, but the fee shall be assessed at the issuance, reissuance or reinstatement of such bond).

DISTRIBUTION SCHEDULE OF COSTS, FEES AND FINES IN MUNICIPAL COURTS
(Explanation of Distribution Schedule on Pages 2 thru 6)

The filing fee shall be collected by the official executing the bond at the time of execution or within two business days. Where an official **other than the court clerk** collects the fee, such official shall remit to the court clerk the fee attached to the executed bond within 30 days "or upon adjudication or conviction of the underlying offense, whichever occurs first": (NOTE that if the fee is not collected, documentation of nonpayment shall be attached to the executed bond within two business days, and the court clerks "may accept the payment of the fee" if the clerk has the executed bond, proof of nonpayment and the charging instrument in-hand). Please use attached form – Bail Bond Fee Transmittal Form pursuant to Act 2012-535. If the defendant is released on his or her own recognizance, judicial public bail, or a non-custodial non-traffic offense pursuant to Rule 20, Alabama Rules of Judicial Administration, the fee shall be assessed upon adjudication or when court costs and fees are assessed.

Persons responsible for paying the filing fee: Bondsmen, sureties, guaranties, or a person(s) signing as surety for the undertaking of bail (which may include the defendant). The court clerk shall provide notification of delinquency or failure to pay the filing fee to the prosecutor (or district attorney) within two days of the clerk's entry of the case or within two days of receipt of the executed bond where the case is pending, and the prosecutor (or district attorney) may, among other things, initiate contempt proceedings (the prosecutor shall notify persons responsible for the fee by U.S. Mail to the last known address and provide them 10 days to remit payment in full). If the surety is the defendant, and the prosecutor elects to file a contempt petition, the court shall set the contempt hearing on the defendant's next regularly scheduled court appearance and where the surety is not the defendant, the prosecutor (or district attorney) may file a contempt petition for a subsequent hearing. Upon a finding of contempt for the failure to pay the fee, any of the above mentioned persons shall be required to pay a fine of not less than five hundred dollars (\$500.00) in addition to the \$35.00 filing fee. NOTE that the municipal court clerk "shall provide a list to the prosecuting attorney **and the district attorney** every sixty days that shall include, but not be limited to, the name of every person who has failed to pay the fee, the municipal case number, and the name of the person signing as surety" (emphasis supplied). Where the district attorney initiates contempt proceedings in municipal court, 50% of the fine shall be distributed to the municipal general fund and 50% of the fine shall be distributed to the district attorney's Solicitor's fund.

Act 2012-535 and New Bail Bond Fee Effective August 1, 2012

Please be advised that **effective August 1, 2012, in addition** to the \$35.00 "Bail Bond Filing Fee", a new "Bail Bond Fee" of 3.5% if the total face value of the bail bond or \$100, whichever is greater, but not to exceed \$450 is to be ASSESSED AT ADJUDICATION: please note that paragraph (e)(1) of Section 2 of the Act provides that this fee is to be assessed to the defendant and imposed by the court when the defendant appears for adjudication or sentencing. This new fee applies to all MISDEMEANOR cases and "Serious Traffic Offenses" in Title 32-5A (DUI, BUI, Reckless Driving). NOTE that since \$1,000 is the maximum bail range for Municipal Courts pursuant to the Bail Schedule provided in Rule 7.2 of the Alabama Rules of Criminal Procedure, \$100 will almost always be the amount of the "Bail Bond Fee" since 3.5% of \$1,000 is only \$35. **EXCEPT:** where a person is released on a recognizance or signature bond, including uniform **non-traffic** cases cited pursuant to Rule 20, Alabama Rules of Judicial Administration (ARJA), the "Bail Bond Fee" shall be \$25. Distribute as follows where the bond has been executed by the municipality: (**\$100 Bail Bond Fee** for all bonds **except** signature/personal recognizance bonds and uniform **non-traffic** cases per Rule 20 ARJA): \$21.50 to the Municipal General Fund; \$31.40 to the "Municipal Court Judicial Administration Fund"; \$35.32 to the "Solicitor's Fund" in the County; \$3.93 to the "State General Fund"; \$7.85 to the Alabama Forensic Services Trust Fund". **OR:** Distribute as follows (**\$25 Bail Bond Fee** for signature/personal recognizance bonds and on uniform **non-traffic** cases per Rule 20 ARJA): \$21.50 to the Municipal General Fund; \$1.40 to the "Municipal Court Judicial Administration Fund"; \$1.57 to the "Solicitor's Fund" in the county; .18 cents to the State General Fund; .35 cents to the "Alabama Forensic Services Trust Fund".

Report State General Fund remittance of \$3.93 from the \$100 Bail Bond Fee on UJS Form MC-13, Section P, line 1, "General Fd".
Report State General Fund remittance of 0.18 cents from the \$25 Bail Bond Fee on UJS Form MC-13, Section P, line 2, "General Fd".
Report Alabama Forensic Services Trust Fund of \$7.85 of the \$100 Bail Bond Fee on UJS Form MC-13, Section P, line 3, "AFSTS".
Report Alabama Forensic Services Trust Fund of 0.35 cents of the \$25 Bail Bond Fee on UJS Form MC-13, Section P, line 4, "AFSTS".

DISTRIBUTION SCHEDULE OF COSTS, FEES AND FINES IN MUNICIPAL COURTS
(Explanation of Distribution Schedule on Pages 2 thru 6)

DUI FINE DISBURSEMENT CHART NUMBER 1

§32-5A-191, Alabama Code 1975 - Distribution of Fines for Offenses Charged as Municipal Ordinance Violations in Municipal or District Court. Fines collected for violations of this § charged pursuant to a municipal ordinance when paid *in full* should be disbursed according to the chart below.

Applies to fines only, court costs not shown

Conviction	Fine	CTTEF*	Impaired Drivers Trust Fund less 5% Administrative Fee**	State General Fund	Municipal General Fund***
1 st	\$600 - \$2,100	\$100	\$100 - \$5 = \$95	\$150	\$250 +
2 nd	\$1,100 - \$5,100	\$100	\$100 - \$5 = \$95	\$400	\$500+
3 rd	\$2,100 - \$10,100	\$100	\$100 - \$5 = \$95	\$900	\$1,000 +

* Chemical Testing Training and Equipment Fund

** Administrative Fee from Impaired Drivers Fund to be deposited in the Municipal General Fund.

*** Based on minimum fine amount assessed. Any fine amount above the minimum shall be disbursed to the Municipal General Fund.

The fine cannot exceed the maximum amount pursuant to §11-45-9, Alabama Code 1975, which sets the jurisdictional limit for Municipal Courts at a \$5,000.

Double fine amount for conviction of §32-5A-191(p), child under the age of 14 as passenger.

Double amount of fine disbursed to each fund. The fine amount cannot exceed the maximum set by §11-45-9.

4th offense DUI is a felony offense and cannot be charged as a municipal ordinance violation.

DUI FINE DISBURSEMENT CHART NUMBER 2

Pursuant to the amendment of §32-5A-191, Alabama Code of 1975, Act 2002-502, fines collected for violations of a municipal ordinance when paid *in partial payments or on an installment* basis in Municipal Court should be disbursed according to the chart below. Effective July 1, 2002.

Applies to fines only, court costs not shown

Conviction	Fine	CTTEF*	Impaired Drivers Trust Fund less 5% Administrative Fee**	State General Fund	Municipal General Fund***
1 st	\$600 - \$2,100	\$100	\$100 - \$5 = \$95	\$150	\$5 adm. + \$250 +
2 nd	\$1,100 - \$5,100	\$100	\$100 - \$5 = \$95	\$400	\$5 adm. + \$500 +
3 rd	\$2,100 - \$10,100	\$100	\$100 - \$5 = \$95	\$900	\$5 adm. + \$1,000 +

* Chemical Testing Training and Equipment Fund

** Administrative Fee from Impaired Drivers Fund to be deposited in the Municipal General Fund.

*** Based on minimum fine amount assessed. Any fine amount above the minimum shall be disbursed to the Municipal General Fund.

The fine cannot exceed the maximum amount pursuant to §11-45-9, Code of Alabama 1975, which sets the jurisdictional limit for Municipal Courts at a \$5,000.

Double fine amount for conviction of §32-5A-191(p), child under the age of 14 as passenger.

Double amount of fine disbursed to each fund. The fine amount cannot exceed the maximum set by §11-45-9.

4th offense DUI is a felony offense and cannot be charged as a municipal ordinance violation.

Mail monthly reports to the following agencies as indicated by the 10th of each month:

Monthly Report to the State Treasurer by Municipality (UJS Form MC-13)

Finance Dept. - Comptroller
Receipts Section
PO Box 302602
Montgomery, AL 36130-2602
Phone: 334.242.7069

Alabama Peace Officers' Annuity and Benefit Fund (APO-1)

Alabama Peace Officers' Annuity and Benefit Fund
PO Box 2186
Montgomery, AL 36102-2186
Phone: 334.242.4079

Alabama Crime Victims Compensation Commission Fund (ACV-1)

Alabama Crime Victims Compensation Commission
PO Box 231267
Montgomery, AL 36123-1267-1548
Phone: 334.290.4420

State Judicial Administration Fund (UJS Form MC-18)

Administrative Office of Courts
Joy Evans, Legal Division
300 Dexter Avenue, Montgomery, AL 36104-3741
Phone: 334-954-5014

Monthly Reporting Form for Act 2012-535 (UJS Form MC-19) NO MONEY REMITTED WITH THIS FORM

Administrative Office of Courts
Joy Evans, Legal Division
300 Dexter Avenue, Montgomery, AL 36104-3741
Phone: 334-954-5014

Presiding Circuit Judges' Judicial Administration Fund (UJS Form MC-20)

Email Joy Evans at joy.evans@alacourt.gov to request the name and mailing address of the Presiding Circuit Judge in your county.

Circuit Clerks' Judicial Administration Fund (UJS Form MC-21)

Email Joy Evans at joy.evans@alacourt.gov to request the name and mailing address of the Circuit Clerk in your county.

Department of Public Safety (UJS Forms for DPS)

Department of Public Safety
Attn: Shelia Wordlaw
301 S. Ripley Street
Montgomery, AL 36104
Phone: 334-353-1840