

1 HB515
2 198750-2
3 By Representative Standridge
4 RFD: Ways and Means General Fund
5 First Read: 25-APR-19

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8 SYNOPSIS: Under existing law, a special circuit court
9 judge, district court judge, or judge of probate
10 appointed and commissioned by the Supreme Court for
11 temporary service receives compensation for his or
12 her services at a sum not to exceed \$100 per day
13 and reimbursement for actual and necessary
14 expenses, including, but not limited to,
15 transportation costs, food, and lodging.

16 Also under existing law, the compensation
17 and reimbursement to a special circuit court judge,
18 district court judge, or judge of probate appointed
19 and commissioned by the Supreme Court for temporary
20 service is paid out of the State Treasury, or in
21 whole or in part, from grant funds on approval and
22 direction of the Administrative Office of Courts.

23 This bill would allow a special circuit
24 court judge, district court judge, or judge of
25 probate appointed and commissioned by the presiding
26 circuit court judge of a circuit to receive
27 compensation at a sum to be determined by the

1 presiding circuit court judge and reimbursement for
2 actual and necessary expenses, including, but not
3 limited to, transportation costs, food, and
4 lodging.

5 This bill would authorize the presiding
6 circuit court judge to pay the compensation and
7 reimbursement to a special circuit court judge,
8 district court judge, or judge of probate appointed
9 and commissioned for temporary service from any
10 funds within his or her discretion and establish
11 that the compensation and reimbursement is not
12 required to be paid out of the State Treasury or
13 from funds on approval and direction of the
14 Administrative Office of Courts.

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16 A BILL
17 TO BE ENTITLED
18 AN ACT

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20 Relating to special judges; to amend Section
21 12-1-14.1, Code of Alabama 1975; to allow a special circuit
22 court judge, district court judge, or judge of probate
23 appointed and commissioned by the presiding circuit court
24 judge of a circuit to receive compensation at a sum to be
25 determined by the presiding circuit court judge and
26 reimbursement for actual and necessary expenses, including,
27 but not limited to, transportation costs, food, and lodging;

1 and to authorize the presiding circuit court judge to pay the
2 compensation and reimbursement to a special circuit court
3 judge, district court judge, or judge of probate appointed and
4 commissioned for temporary service from any funds within his
5 or her discretion and establish that the compensation and
6 reimbursement is not required to be paid out of the State
7 Treasury or from funds on approval and direction of the
8 Administrative Office of Courts.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 12-1-14.1, Code of Alabama 1975,
11 is amended to read as follows:

12 "§12-1-14.1.

13 "(a) At the request of the affected judge in a
14 particular circuit, the presiding circuit court judge of the
15 circuit may appoint and commission a special circuit court
16 judge, special district court judge, or special judge of
17 probate for temporary service. The person so appointed shall
18 possess the qualifications of the judgeship to which he or she
19 is appointed. The special judge shall qualify by taking the
20 oath of office prescribed in the Constitution of Alabama of
21 1901. The appointment shall confer on the special judge all
22 powers, authority, and jurisdiction of the judgeship to which
23 he or she is appointed. The special judge shall ~~not~~ receive as
24 compensation for his or her services a sum to be determined by
25 the presiding circuit court judge and reimbursement for his or
26 her actual and necessary expenses, including, but not limited
27 to, transportation costs, food, and lodging. The compensation

1 and reimbursement to a special circuit court judge, district
2 court judge, or judge of probate appointed under this
3 subsection may be paid by the presiding circuit court judge
4 from any funds within his or her discretion. The compensation
5 and reimbursement to a special circuit court judge, district
6 court judge, or judge of probate appointed under this
7 subsection is not required to be paid out of the State
8 Treasury or from funds on approval and direction of the
9 Administrative Office of Courts.

10 "(b) As used in this section, the term "temporary
11 service" means not more than 180 consecutive days. A special
12 judge may be reappointed, as needed, for more than one period
13 of 180 consecutive days.

14 "(c) This section is supplemental to Section
15 12-1-14.

16 "(d) Pursuant to this section, the appointments
17 shall be non-discriminatory."

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