

1 SB396
2 147538-2
3 By Senator Pittman (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 04-APR-13

1 SB396

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Baldwin County; providing that the
8 offices of judge of probate and revenue commissioner shall not
9 be assessed for monetary loss resulting from the performance
10 of official duties for errors or mistakes made in good faith,
11 up to a certain annual maximum amount per office.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. The office of Revenue Commissioner and
14 the office of Judge of Probate of Baldwin County shall not be
15 assessed any monetary loss, up to a total of two thousand five
16 hundred dollars (\$2,500) per office, per annum, arising or
17 caused by error if the mistake or omission was caused without
18 the personal knowledge of the officer, including loss arising
19 from acceptance of worthless or forged checks, drafts, money
20 orders, or other written orders for money or its equivalent.

21 Section 2. It shall be the duty of the revenue
22 commissioner and the judge of probate to insure that the
23 employees of the respective offices exercise due care in
24 performing their required duties and make a diligent effort to
25 correct the error, mistake, or omission. The respective

1 officers shall make a good faith effort to collect the amount
2 subject to potential loss immediately upon becoming aware of
3 the potential loss.

4 Section 3. This act shall not apply to any
5 deliberate misuse or misappropriation of funds by the revenue
6 commissioner or judge of probate, or by any clerk or any
7 employee of the respective offices.

8 Section 4. The revenue commissioner or judge or
9 probate or any official, any clerk, or any employee of the
10 respective offices shall not be liable for worthless checks if
11 the respective officers make a good faith effort to collect on
12 the worthless checks.

13 Section 5. The provisions of this act are severable.
14 If any part of this act is declared invalid or
15 unconstitutional, that declaration shall not affect the part
16 which remains.

17 Section 6. This act shall become effective
18 immediately following its passage and approval by the
19 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB396

Senate 02-MAY-13

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 09-MAY-13

By: Senator Pittman