

HB328 INTRODUCED



1 HB328
2 WRLT5E5-1
3 By Representatives Bedsole, Ellis, Paschal, DuBose, Mooney,
4 Carns, Hulsey (N & P)
5 RFD: Shelby County Legislation
6 First Read: 19-Mar-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; to authorize the Shelby County Manager to void a motor vehicle licenses and other licenses when a check, credit card, or other form of payment tendered by an individual, company, or other entity for payment of any license is found non-collectible; and to provide for the reimbursement from the General Fund of Shelby County to the Shelby County License Department for losses by the office for errors and omissions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall only apply in Shelby County.

Section 2. When a check, credit card, or other form of payment tendered by an individual, company, or other entity for payment of any motor vehicle license, vessel registration, privilege license, door-to-door sales license, rental lease, driver license, game and fish license, manufactured home registration, or any other license is found to be non-collectible, the Shelby County License Department shall make a reasonable attempt to retrieve the motor vehicle license plate or decal or to retrieve any other license issued based on the non-collectible payment and the Shelby County



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29 Manager may void the registration or license and any sales and
30 use taxes, ad valorem taxes, issuance fees, interest,
31 penalties, and costs related to the non-collectible payment.
32 After the motor vehicle or other licenses have been voided,
33 the license department shall receive credit for costs
34 associated with the non-collectible check, credit card, or
35 instrument issued. The appropriate state office shall mark the
36 records pertaining to the voided license accordingly, and upon
37 inquiry by any law enforcement agency, shall notify the agency
38 that the party in question is operating under a voided
39 license. All violations shall be prosecuted in accordance to
40 law.

41 Section 3.(a) The Shelby County Commission shall
42 reimburse the Shelby County License Department from the
43 General Fund of Shelby County up to three thousand dollars
44 (\$3,000), per year, or up to such other amount as may be
45 adjusted from time to time by the county commission, for the
46 amount of any losses arising or caused by any errors,
47 mistakes, or omissions of the Shelby County License
48 Department, or agents of the department, if the County
49 Manager, or his or her agents, finds the losses were caused
50 without personal knowledge, including losses arising from
51 acceptance of worthless or forged checks, drafts, money
52 orders, credit cards, or other written or online orders for
53 money or its equivalent.

54 (b) The Shelby County License Department and the Shelby
55 County Manager shall ensure that the license department
56 employees exercise due care in performing their duties and



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57 make a diligent effort to correct any error, mistake, or
58 omission and collect the amount subject to potential loss
59 immediately upon becoming aware of the potential loss. This
60 section shall not apply to any deliberate misuse or
61 misappropriation of funds by the license department or
62 employees of the office.

63 Section 4. The provisions of this act are supplemental
64 and it shall be construed in pari materia with other laws
65 regarding the Shelby County License Department.

66 Section 5. All laws or parts of laws which are indirect
67 conflict or inconsistent herewith are hereby repealed.

68 Section 6. This act shall become effective on June 1,
69 2024.