

House Bill 576 (AS PASSED HOUSE AND SENATE)

By: Representatives Williams of the 145th, Tanner of the 9th, Carpenter of the 4th, Powell of the 32nd, and Momtahan of the 17th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to
2 provide for the distribution priority of partial payments of fines, bond forfeitures, and costs;
3 to provide for an effective date; to provide for related matters; to repeal conflicting laws; and
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
8 Code Section 15-6-95, relating to priorities of distribution of fines, bond forfeitures,
9 surcharges, additional fees, and costs in cases of partial payments into the court, as follows:
10 "15-6-95.

11 Notwithstanding any law to the contrary, a clerk of any superior court of this state who
12 receives partial payments, as ordered by the court, of criminal fines, bond forfeitures, or
13 costs shall distribute such sums in the order of priority set forth below:

14 (1) The amount provided for in Chapter 17 of Title 47 for the Peace Officers' Annuity
15 and Benefit Fund;

16 (2) The amount provided for in Chapter 14 of Title 47 for the Superior Court Clerks'
17 Retirement Fund of Georgia;

18 (3) The amount provided for in Chapter 16 of Title 47 for the Sheriffs' Retirement Fund
19 of Georgia;

20 ~~(4) The amounts provided under subparagraphs (a)(1)(A) and (a)(2)(A) of Code~~
21 ~~Section 15-21-73~~ The amount provided for in cases of driving under the influence for
22 purposes of the Brain and Spinal Injury Trust Fund under Code Section 15-21-149 and
23 the amount provided for in cases of reckless driving for purposes of the Brain and Spinal
24 Injury Trust Fund under Code Section 15-21-151;

25 ~~(5) The amounts provided for under subparagraphs (a)(1)(B) and (a)(2)(B) of Code~~
26 ~~Section 15-21-73~~ The balance of the base fine owed to the county;

- 27 (6) The amounts provided for in Code Section 15-21-93 for jail construction and staffing;
- 28 ~~(7) The amount provided for in Code Section 15-21-131 for funding local victim~~
 29 ~~assistance programs~~ The amounts provided under subparagraphs (a)(1)(A) and (a)(2)(A)
 30 of Code Section 15-21-73;
- 31 ~~(8) The amount provided for in Code Section 36-15-9 for county law libraries~~ The
 32 amounts provided for under subparagraphs (a)(1)(B) and (a)(2)(B) of Code
 33 Section 15-21-73;
- 34 ~~(9) The balance of the base fine owed to the county~~ The amount provided for in Code
 35 Section 15-21-131 for funding local victim assistance programs;
- 36 ~~(10) The amount provided for in cases of driving under the influence for purposes of the~~
 37 ~~Georgia Crime Victims Emergency Fund under Code Section 15-21-112~~ The amount
 38 provided for in Code Section 36-15-9 for county law libraries;
- 39 ~~(11) The application fee provided for in subsection (c) or (e) of Code Section 15-21A-6~~
 40 The amount provided for in cases of driving under the influence for purposes of the
 41 Georgia Crime Victims Emergency Fund under Code Section 15-21-112;
- 42 ~~(12) The amount provided for in cases of driving under the influence for purposes of the~~
 43 ~~Brain and Spinal Injury Trust Fund under Code Section 15-21-149~~ The amount provided
 44 for in Code Section 15-21-100 for the Drug Abuse Treatment and Education Fund;
- 45 ~~(13) The amount provided for in Code Section 15-21-100 for the Drug Abuse Treatment~~
 46 ~~and Education Fund~~ The amount provided for in Code Section 15-21-208 for the Safe
 47 Harbor for Sexually Exploited Children Fund;
- 48 (14) The amounts provided for in subsection (d) of Code Section 42-8-34; and
- 49 ~~(15) The amount provided for in Code Section 15-21-208 for the Safe Harbor for~~
 50 ~~Sexually Exploited Children Fund~~ The application fee provided for in subsection (c)
 51 or (e) of Code Section 15-21A-6."

52 **SECTION 2.**

53 Said title is further amended by adding a new subsection to Code Section 15-21A-7, relating
 54 to rules, regulations, reporting, and accounting, to read as follows:

55 "(d) In promulgating rules and regulations regarding the priority of distributions of partial
 56 payments of fines, bond forfeitures, and costs from courts other than the superior and state
 57 courts, the authority shall follow the priority provisions of Code Section 15-6-95 insofar
 58 as practicable."

59 **SECTION 3.**

60 This Act shall become effective upon its approval by the Governor or upon its becoming law
 61 without such approval.

62

SECTION 4.

63 All laws and parts of laws in conflict with this Act are repealed.