

House Bill 1505

By: Representative Murphy of the 18th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 21 of Title 15 of the Official Code of Georgia Annotated,
2 relating to claims against and disposition of county fine and forfeiture funds, so as to provide
3 for the use of a certain portion of the surplus from the fine and forfeiture fund for purposes
4 of legal defense of indigents; to provide for conditions and an exception; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to
9 claims against and disposition of county fine and forfeiture funds, is amended by striking
10 Code Section 15-21-55, relating to disposition and use of surplus funds, and inserting in its
11 place a new Code section to read as follows:

12 "15-21-55

13 (a) Any surplus of funds which remain in the hands of the county treasurer or other
14 custodian of the fine and forfeiture fund or in the hands of any officer of court or other
15 person as agent or representative of any officer of court after all legal claims against the
16 fund have been paid or are barred by limitation shall be paid over into the general fund of
17 the county treasury to be used by the county for the purpose of paying the expenses of
18 courts, the maintenance and support of prisoners, paying sheriffs and coroners for
19 litigation, and paying all legal demands of clerks of court, prosecuting officers, sheriffs,
20 and other officers of court.

21 (b) Of the amounts paid over into the general fund under subsection (a) of this Code
22 section, at least 25 percent shall be reserved, separately accounted for, and used exclusively
23 for purposes of legal defense of indigents as authorized under Chapter 12 of Title 17;
24 provided, however, that any of such amount so reserved which remains unexpended for
25 such purpose three months after the close of the county's fiscal year may then be
26 transferred to the general fund of the county treasury without restriction."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.