

The House Committee on Special Judiciary offers the following substitute to HB 824:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated,
2 relating to general provisions for municipal courts, so as to authorize prosecution via a
3 uniform traffic citation, summons, or citation without an accusation in cases where a person
4 is charged with marijuana possession, operating a motor vehicle without effective insurance
5 or emission inspection, shoplifting, underage possession of alcoholic beverages, or criminal
6 trespass; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8 Article 1 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated, relating to
9 general provisions for municipal courts, is amended in Code Section 36-32-6, relating to
10 jurisdiction in marijuana possession cases, by striking subsection (a) and inserting in lieu
11 thereof the following:
12

13 "(a) The municipal court of any municipality is granted jurisdiction to try and dispose of
14 cases where a person is charged with the possession of one ounce or less of marijuana if
15 the offense occurred within the corporate limits of such municipality. These cases may be
16 tried upon a uniform traffic citation, summons, or citation without an accusation. The
17 jurisdiction of any such court shall be concurrent with the jurisdiction of any other courts
18 within the county having jurisdiction to try and dispose of such cases."

SECTION 2.

19 Said article is further amended in Code Section 36-32-7, relating to jurisdiction in cases of
20 operating motor vehicles without effective insurance, by striking subsection (a) and inserting
21 in lieu thereof the following:
22

23 "(a) The municipal court of each municipality is granted jurisdiction to try and dispose of
24 cases where a person is charged with a misdemeanor under Code Section 40-6-10 of
25 knowingly operating or knowingly authorizing the operation of a motor vehicle without

1 effective insurance of such vehicle or without an approved plan of self-insurance as
 2 required by Chapter 34 of Title 33, the 'Georgia Motor Vehicle Accident Reparations Act,'
 3 if the offense occurred within the corporate limits of such municipality. These cases may
 4 be tried upon a uniform traffic citation, summons, or citation without an accusation. The
 5 jurisdiction of each such court shall be concurrent with the jurisdiction of any other courts
 6 within the county having jurisdiction to try and dispose of such cases."

7 SECTION 3.

8 Said article is further amended in Code Section 36-32-8, relating to jurisdiction in cases of
 9 operating motor vehicles without certificate of emission inspection, by striking subsection
 10 (a) and inserting in lieu thereof the following:

11 "(a) The municipal court of each municipality of each county required to comply with
 12 Article 2 of Chapter 9 of Title 12, known as the 'Georgia Motor Vehicle Emission
 13 Inspection and Maintenance Act,' is granted jurisdiction to try and dispose of such cases
 14 in which a person is charged with a misdemeanor under Code Section 12-9-55 of operating
 15 a responsible motor vehicle without a certificate of emission inspection, if the offense
 16 occurred within the corporate limits of such municipality. These cases may be tried upon
 17 a uniform traffic citation, summons, or citation without an accusation. The jurisdiction of
 18 such court shall be concurrent with the jurisdiction of any other courts within the county
 19 having jurisdiction to try and dispose of such cases."

20 SECTION 4.

21 Said article is further amended in Code Section 36-32-9, relating to jurisdiction in cases of
 22 shoplifting of \$300.00 or less, by striking subsection (a) and inserting in lieu thereof the
 23 following:

24 "(a) The municipal court is granted jurisdiction to try and dispose of cases in which a
 25 person is charged with a first, second, or third offense of theft by shoplifting when the
 26 property which was the subject of the theft was valued at \$300.00 or less, if the offense
 27 occurred within the corporate limits of the municipality. These cases may be tried upon a
 28 uniform traffic citation, summons, or citation without an accusation. The jurisdiction of
 29 such court shall be concurrent with the jurisdiction of any other courts within the county
 30 having jurisdiction to try and dispose of such cases."

31 SECTION 5.

32 Said article is further amended in Code Section 36-32-10, relating to jurisdiction in cases of
 33 furnishing alcoholic beverages to and purchase and possession of alcoholic beverages by
 34 underage persons, by striking subsection (a) and inserting in lieu thereof the following:

