

House Bill 738

By: Representative Dean of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act re-creating a system of state courts of limited jurisdiction for each city of
2 this state having a population of 300,000 or more according to the United States decennial
3 census of 1990 or any future such census, approved April 4, 1996 (Ga. L. 1996, p. 627), as
4 amended by an Act approved April 2, 1998 (Ga. L. 1998, p. 559), an Act approved April 28,
5 1999 (Ga. L. 1999, p. 830), and an Act approved April 20, 2000 (Ga. L. 2000, p. 483), so as
6 to change provisions relating to distribution of proceeds of additional penalties for victim and
7 witness assistance programs; to provide for related matters; to provide an effective date; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act re-creating a system of state courts of limited jurisdiction for each city of this state
12 having a population of 300,000 or more according to the United States decennial census of
13 1990 or any future such census, approved April 4, 1996 (Ga. L. 1996, p. 627), as amended
14 by an Act approved April 2, 1998 (Ga. L. 1998, p. 559), an Act approved April 28, 1999 (Ga.
15 L. 1999, p. 830), and an Act approved April 20, 2000 (Ga. L. 2000, p. 483), is amended by
16 striking Section 27 and inserting in its place a new Section 27 to read as follows:

17 "SECTION 27.

18 Additional penalty.

19 (a)(1) In every traffic case, other than parking violations, in which a court imposes a fine
20 under this Act for a violation of a state law or local ordinance there shall be imposed as
21 an additional penalty a sum not to exceed \$3.00.

22 (2) At the time of posting bail or bond in any traffic case before a court under this
23 section, an additional sum not to exceed \$3.00 shall be posted. In every traffic case in

1 which a court under this section orders the forfeiture of bail or bond, the additional sum
2 posted shall be paid over as provided in subsection (b) of this section.

3 (b) The additional penalty in cases in which fines are imposed and the additional sum for
4 forfeiture of bails and bonds provided for in paragraphs (1) and (2) of subsection (a) of this
5 section shall be collected by the court officer charged with the duty of collecting fines and
6 forfeited bails or bonds. The funds collected shall be distributed by the finance department
7 of the city served by the traffic court created by this Act. One-third of the funds collected
8 shall be distributed to the court created by this Act for the benefit of and in support of the
9 Victims and Witnesses Assistance Program ~~operated by the chief judge of such court.~~
10 Two-thirds of the funds collected under this Act shall be distributed by the city finance
11 department ~~to the crime commission serving such city,~~ in support of a Victims and
12 Witnesses Assistance Program ~~operated by the crime commission in~~ designated by the
13 governing authority of the municipal court of said city. Budgets for each of the Victims
14 and Witnesses Assistance Programs named in this section shall be submitted to the finance
15 committee of the city council for review and approval of the distribution of the funds. An
16 annual report to the governing authority of the city served by the traffic court created by
17 this Act of the moneys received by each recipient of these funds shall be made by ~~the chief~~
18 ~~judge of each court in which a~~ each Victims and Witnesses Assistance Program is
19 supported by the funds collected under this section.

20 (c) Except as otherwise provided in subsection (b) of this section and except as otherwise
21 provided in Section 28, all moneys arising from fines or forfeitures imposed and collected
22 in such courts shall be paid into the treasury of the respective city served by the court and
23 shall be used exclusively to defray the expense of operating such courts and the
24 enforcement of the laws and ordinances relating to and regulating traffic."

25 **SECTION 2.**

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

28 **SECTION 3.**

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