

House Bill 864

By: Representative Boggs of the 145th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 6 of Title 5 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding certiorari and appeals to appellate courts, so as to
3 change certain provisions regarding certain bills of costs; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 6 of Title 5 of the Official Code of Georgia Annotated, relating to
8 general provisions regarding certiorari and appeals to appellate courts, is amended by striking
9 Code Section 5-6-4, relating to bills of costs, and inserting in its place a new Code Section
10 5-6-4 to read as follows:

11 "5-6-4.

12 The bill of costs for every application to the Supreme Court for a writ of certiorari or for
13 applications for appeals filed in the Supreme Court or the Court of Appeals or appeals to
14 the Supreme Court or the Court of Appeals shall be ~~\$80.00~~ \$250.00. The costs shall be paid
15 by counsel for the applicant or appellant at the time of the filing of the application or, in
16 the case of direct appeals, at the time of the filing of the original brief of the appellant. In
17 those cases in which the writ of certiorari or an application for appeal is granted, there shall
18 be no additional costs. Costs shall not be required in those instances when at the time the
19 same are due counsel for the applicant or appellant shall file a statement that an affidavit
20 of indigence has been duly filed or file an affidavit that he or she was appointed to
21 represent the defendant by the trial court because of the defendant's indigency. The clerk
22 is prohibited from receiving the application for appeal or the brief of the appellant unless
23 the costs have been paid or a sufficient affidavit of indigence is filed or contained in the
24 record."

1

SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.