

Senate Bill 229

By: Senators Lee of the 29th and Bowen of the 13th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Code Section 40-5-53 of the Official Code of Georgia Annotated, relating to when courts are to send licenses and reports of convictions to the Department of Motor Vehicle Safety, so as to change certain provisions relating to forwarding of information and fees; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 40-5-53 of the Official Code of Georgia Annotated, relating to when courts are to send licenses and reports of convictions to the Department of Motor Vehicle Safety, is amended by striking subsections (b) and (c) and inserting in lieu thereof the following:

"(b) Every court in each county of this state ~~having a population of 550,000 or more according to the United States decennial census of 1980 or any future such census and~~ having jurisdiction over offenses committed under this chapter and Chapter 6 of this title or any other law of this state or ordinance adopted by a local authority regulating the operation of motor vehicles on highways shall forward to the department, within ten days after the conviction of any person in such court for a violation of any such law other than regulations governing speeding in a noncommercial motor vehicle for which no points are assigned under Code Section 40-5-57, standing, or parking, a uniform citation form authorized by Article 1 of Chapter 13 of this title. Notwithstanding any other provision of this title, in satisfaction of the reporting requirement of this subsection, the courts of this state may transmit the information contained on the uniform citation form by electronic means, provided that the department has first given approval to the reporting court for the electronic reporting method utilized. The department shall pay to the clerk of the court forwarding the required report ~~25¢~~ 40¢ for each report ~~required to be forwarded~~ transmitted electronically and 10¢ for each report transmitted otherwise; and notwithstanding any general or local law to the contrary, the clerk shall ~~retain such 25¢ fee as additional~~

1 ~~compensation pay such fees over to the general fund of the city or county operating the~~
2 ~~court.~~

3 ~~(c) Every court in each county of this state having a population of less than 550,000~~
4 ~~according to the United States decennial census of 1980 or any future such census and~~
5 ~~having jurisdiction over offenses committed under this chapter or Chapter 6 of this title or~~
6 ~~any other law of this state or ordinance adopted by a local authority regulating the~~
7 ~~operation of motor vehicles on highways shall forward to the department, within ten days~~
8 ~~after the conviction of any person in such court for a violation of any such law other than~~
9 ~~regulations governing speeding in a noncommercial vehicle for which no points are~~
10 ~~assigned under Code Section 40-5-57, standing or parking, a uniform citation form~~
11 ~~authorized by Article 1 of Chapter 13 of this title. Notwithstanding any other provision of~~
12 ~~this title, in satisfaction of the reporting requirement of this subsection, the courts of this~~
13 ~~state may transmit the information contained on the uniform citation form by electronic~~
14 ~~means, provided that the department has first given approval to the reporting court for the~~
15 ~~electronic reporting method utilized. The department shall pay to the clerk of the court~~
16 ~~forwarding the report 25¢ for each report required to be forwarded; and in those cases~~
17 ~~where the clerk receiving such 25¢ fee is compensated solely on a fee basis, the clerk shall~~
18 ~~retain such 25¢ fee as additional compensation. In those cases where the clerk receiving~~
19 ~~such 25¢ fee is compensated in whole or in part on a salary basis, such fee shall be the~~
20 ~~property of and shall be paid over to the city or county operating the court, unless expressly~~
21 ~~provided otherwise in a local law relating to the compensation of such clerk."~~

22 SECTION 2.

23 This Act shall become effective on July 1, 2003.

24 SECTION 3.

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