

House Bill 943

By: Representatives Dean of the 49<sup>th</sup>, Brooks of the 47<sup>th</sup>, Stanley-Turner of the 43<sup>rd</sup>, Post 2, Beasley-Teague of the 48<sup>th</sup>, Post 2, Holmes of the 48<sup>th</sup>, Post 1, and others

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 victims  
7 and witnesses assistance programs; to provide for related matters; to provide an effective  
8 date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 It is the primary intent of this Act to change provisions relating to the distribution of proceeds  
12 of additional penalties for Victims and Witnesses Assistance Programs in designated cities  
13 to reflect direct distribution to Victims and Witnesses Assistance Programs, formerly  
14 operated by the crime commission, that are currently operating as independent 501(c)(3)  
15 organizations. Funds collected pursuant to this Act shall be supplemented by sums collected  
16 in the municipal court and distributed by the city's finance department to the city court for  
17 its Victims and Witnesses Assistance Program and to the Victims and Witnesses Assistance  
18 Program, formerly operated by the crime commission, in the municipal court.

19 **SECTION 2.**

20 An Act re-creating a system of state courts of limited jurisdiction for each city of this state  
21 having a population of 300,000 or more according to the United States decennial census of  
22 1990 or any future such census, approved April 4, 1996 (Ga. L. 1996, p. 627), as amended  
23 by an Act approved April 2, 1998 (Ga. L. 1998, p. 559), an Act approved April 28, 1999 (Ga.  
24 L. 1999, p. 830), and an Act approved April 20, 2000 (Ga. L. 2000, p. 483), is amended by  
25 striking Section 27 and inserting in its place a new Section 27 to read as follows:

1 "SECTION 27.

2 Additional penalty.

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

6 (2) At the time of posting bail or bond in any traffic case before a court under this  
7 section, an additional sum not to exceed \$3.00 shall be posted. In every traffic case in  
8 which a court under this section orders the forfeiture of bail or bond, the additional sum  
9 posted shall be paid over as provided in subsection (b) of this section.

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

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

32 **SECTION 3.**

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

1 **SECTION 4.**

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