

**House Bill 90 (AS PASSED HOUSE AND SENATE)**

By: Representatives Boggs of the 145<sup>th</sup>, Bordeaux of the 125<sup>th</sup>, and Moraitakis of the 42<sup>nd</sup>,  
Post 4

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Code Section 15-2-8 of the Official Code of Georgia Annotated, relating to the  
2 powers of the Supreme Court generally, and Code Section 35-3-33 of the Official Code of  
3 Georgia Annotated, relating to the powers and duties of the Georgia Crime Information  
4 Center, so as to clarify procedures for submission of each state bar applicant's fingerprints  
5 for criminal convictions; to provide for related matters; to provide an effective date; to repeal  
6 conflicting laws; and for other purposes.

7                   **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8                   **SECTION 1.**

9 Code Section 15-2-8 of the Official Code of Georgia Annotated, relating to the powers of the  
10 Supreme Court generally, is amended by striking the Code section and inserting in lieu  
11 thereof the following:

12         "15-2-8.

13         The Supreme Court has authority:

14         (1) To exercise appellate jurisdiction, and in no appellate case to hear facts or examine  
15         witnesses;

16         (2) To hear and determine all cases, civil and criminal, that may come before it; to grant  
17         judgments of affirmance or reversal, or any other order, direction, or decree required  
18         therein; and, if necessary, to make a final disposition of a case in the manner prescribed  
19         elsewhere in this Code;

20         (3) To grant any writ necessary to carry out any purpose of its organization or to compel  
21         any inferior tribunal or officers thereof to obey its order;

22         (4) To appoint its own officers and to commission any person to execute any specific  
23         order it may make;

24         (5) To establish, amend, and alter its own rules of practice and to regulate the admission  
25         of attorneys to the practice of law; ~~provided, however, that in regulating the admission~~  
26         ~~of attorneys to the practice of law, the Supreme Court shall require each applicant for~~

admission to the practice of law to be fingerprinted to determine whether the applicant has a record of criminal convictions in this state or other states. The Georgia Crime Information Center is for this purpose authorized to release to the court and its administrative arms any requested records relating to applicants. The information obtained as a result of the fingerprinting of an applicant shall be limited to the official use of the court and its administrative arms in determining whether an applicant possesses the fitness to be admitted to the practice of law in this state;

(6) To punish for contempt by the infliction of a fine as high as \$500.00 or imprisonment not exceeding ten days, or both; and

(7) To exercise such other powers, not contrary to the Constitution of this state, as given to it by law. This paragraph shall not be interpreted to abrogate the inherent power of the court."

## **SECTION 2.**

Code Section 35-3-33 of the Official Code of Georgia Annotated, relating to the powers and duties of the Georgia Crime Information Center, is amended in subsection (a) by striking "and" at the end of paragraph (13), striking the period at the end of paragraph (14) and inserting in lieu thereof "; and", and adding a new paragraph at the end of the subsection to read as follows:

"(15) Receive and process fingerprints from the Supreme Court of Georgia Office of Bar Admissions for the purpose of determining whether or not an applicant for admission to the State Bar of Georgia has a criminal record. The processing shall include submission of fingerprints to the Georgia Bureau of Investigation and the Federal Bureau of Investigation for comparison to each of their respective files and data bases."

## **SECTION 3.**

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

## **SECTION 4.**

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