

House Bill 1392

By: Representatives Snow of the 1<sup>st</sup>, Stokes of the 72<sup>nd</sup>, and Skipper of the 116<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to  
2 payment and disposition of fines and forfeitures, so as to provide for a technology fee to be  
3 collected in certain judicial circuits; to provide for the uses of said technology fee; to provide  
4 for technology boards in each judicial circuit having a population of 150,000 or more; to  
5 provide an effective date; to provide for related matters; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to payment and  
10 disposition of fines and forfeitures, is amended by adding a new Article 10 to read as  
11 follows:

12 "ARTICLE 10

13 15-21-160.

14 (a) The provisions of this article shall apply only to those judicial circuits having a  
15 population of 150,000 or more according to the most recent United States decennial census.

16 (b) In every case in which any magistrate, probate, state, juvenile, or superior court shall  
17 impose a fine, which shall be construed so as to include costs, for any offense involving a  
18 criminal or traffic law of this state or any political subdivision thereof, there shall be  
19 imposed a technology fee of no more than \$5.00.

20 (c) In every civil action filed in any magistrate, probate, state, juvenile, or superior court,  
21 there shall be imposed a technology fee of no more than \$5.00.

22 (d) No technology fee shall be imposed in any case in which the filing fee is waived by law  
23 or paid by a governmental entity, nor shall such fee be collected in any criminal case in  
24 which the penalty is limited by law to the payment of a fine only.

1 (e) Within 30 days after the end of the month in which the fees were collected, the clerk  
2 of the court shall pay the fees into a specially designated technology fund to be  
3 administered by the governing authority of the largest county by population in the judicial  
4 circuit.

5 (f) The sums accumulated for the technology fees shall be used exclusively to provide for  
6 the technology needs of the judges, district attorneys, solicitors general, state probation  
7 officers, sheriffs, and clerks of the magistrate, probate, juvenile, state, and superior courts  
8 in the judicial circuits. Such uses shall include the following:

9 (1) Hire an employee or employees to manage, maintain, install, and repair computer and  
10 networking hardware and software in the offices, to provide purchasing information and  
11 recommendations to the offices, to provide technical assistance to the offices, to  
12 coordinate and manage network, Internet, and other such data connections among the  
13 offices, and for any and all reasonable and necessary related tasks;

14 (2) Computer hardware and software purchases;

15 (3) Lease, maintenance, and installation of computer hardware and software;

16 (4) Purchase, lease, maintenance, and installation of imaging, scanning, facsimile,  
17 communications, projection, and printing equipment and software;

18 (5) Purchase, lease, maintenance, and installation of networking, Internet, and other  
19 connectivity services to permit related offices to link and share information; and

20 (6) Contracts for any and all of the services provided for in paragraphs (1) through (5) of  
21 this subsection with any individual or entity supplying such services, expertise, or  
22 equipment.

23 15-21-161.

24 (a) The expenditure of any sums collected, the hiring, supervision, and termination of any  
25 employee or employees, and all contracts entered into pursuant to this article shall be  
26 subject to the approval, oversight, and supervision of a technology board.

27 (b) The technology board in each judicial circuit shall consist of one representative from  
28 each of the following groups in the judicial circuit: the superior court judges, the state court  
29 judges, the juvenile court judges, the probate court judges, the magistrate court judges, the  
30 clerks of court, the district attorneys, the solicitors general, the state probation office, and  
31 the sheriffs. The representative for each group shall be selected by consensus among the  
32 members of each group. Absent a consensus, the chief or most senior member of the group  
33 shall serve on the board. In the event that the chief or most senior member declines to  
34 serve on the board, the second in seniority shall serve. The technology board shall by  
35 majority vote select a chairperson to preside over its meetings.

1 15-21-162.

2 Every two years, any excess sums not expended or earmarked for the purposes specified  
3 in this Code section shall be paid into the general fund of the county, or if there is more  
4 than one county in the judicial circuit, into the general funds of the counties on a pro-rata  
5 basis according to the population of each county in proportion to the circuit as a whole.

6 15-21-163.

7 This act shall apply to all civil cases filed on or after July 1, 2005 and to all criminal and  
8 traffic offenses alleged to have occurred on or after July 1, 2005. In those judicial circuits  
9 composed of more than one county, each county governing authority must pass a resolution  
10 authorizing the implementation of this Act before it shall become effective in that circuit.  
11 The actual collection and implementation of the fees shall not occur until the chief superior  
12 court judge of the judicial circuit issues an order directing the clerks to commence  
13 collection of the fees. The chief judge shall determine the need for the implementation of  
14 the fees with the advice and consent of the technology board. The initial fee shall be \$5.00.  
15 After one year from the effective date of this Act, the chief judge shall be authorized, with  
16 the advice and consent of the technology board, to set the technology fee at an even dollar  
17 figure less than \$5.00 by an order filed with the clerks."

18 **SECTION 2.**

19 This Act shall become effective on July 1, 2005.

20 **SECTION 3.**

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