

The House Committee on Special Judiciary offers the following substitute to
HB 1392:

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 courts; to provide for the uses of said technology fee; to provide for
4 technology boards in each judicial circuit; to provide an effective date; to provide for a
5 repealer; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

11 "ARTICLE 10

12 15-21-160.

13 (a) In every case in which any magistrate, probate, state, or superior court shall impose a
14 fine for any offense involving a criminal or traffic law of this state or any political
15 subdivision thereof, there shall be imposed a technology fee of no more than \$5.00.

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

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

21 (d) Within 30 days after the end of the month in which the fees were collected, the clerk
22 of the court shall pay the fees into a specially designated technology fund to be
23 administered by the governing authority of the largest county by population in the judicial
24 circuit.

1 (e) The sums accumulated for the technology fees shall be used exclusively to provide for
2 the technology needs of the judges, district attorneys, public defenders as defined by Code
3 Section 17-12-2, solicitors general, state probation officers, sheriffs, and clerks of the
4 magistrate, probate, juvenile, state, and superior courts in the judicial circuits. Such uses
5 shall include the following:

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

11 (2) Computer hardware and software purchases;

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

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

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

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

20 15-21-161.

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

24 (b) The technology board in each judicial circuit shall consist of one representative from
25 each of the following groups in the judicial circuit: the superior court judges, the state court
26 judges, the juvenile court judges, the probate court judges, the magistrate court judges, the
27 clerks of court, the district attorneys, the public defenders as defined by Code Section
28 17-12-2, the solicitors general, the state probation office, and the sheriffs. The
29 representative for each group shall be selected by consensus among the members of each
30 group. Absent a consensus, the chief or most senior member of the group shall serve on
31 the board. In the event that the chief or most senior member declines to serve on the board,
32 the second in seniority shall serve. The technology board shall by majority vote select a
33 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. The initial fee shall be
9 \$5.00. On July 1, 2006, the chief judge shall be authorized, with the advice and consent
10 of the technology board, to set the technology fee at an even dollar figure less than \$5.00
11 by an order filed with the clerks.

12 15-21-164.

13 This article shall be repealed in its entirety on July 1, 2010."

14 **SECTION 2.**

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

16 **SECTION 3.**

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