

The House Committee on Judiciary offers the following substitute to SB 148:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to
2 juvenile proceedings, so as to amend certain provisions relating to court supervision fees; to
3 provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile
7 proceedings, is amended by striking Code Section 15-11-71 of the Official Code of Georgia
8 Annotated, relating to juvenile court supervision fees, and inserting a new Code section to
9 read as follows:

10 "15-11-71.

11 (a) The purpose of this Code section is to allow the juvenile courts of Georgia to collect
12 supervision fees from those who are placed under the courts' formal or informal
13 supervision in order that the court may use those fees to expand the provision of the
14 following types of ancillary services:

15 (1) Housing in nonsecure facilities that meet the requirements of Code Section 15-11-48;

16 (2) Educational services, tutorial services, truancy intervention services or ~~both~~ any
17 combination thereof;

18 (3) Counseling and diagnostic testing;

19 (4) Mediation;

20 (5) Transportation to and from court ordered services;

21 (6) Restitution programs; and

22 (7) Job development or work experience programs.

23 (b) The juvenile court may order each delinquent or unruly child who receives supervision
24 under paragraph (2), (5), or (6) of subsection (a) of Code Section 15-11-66; or Code
25 Section 15-11-67; or ~~paragraph (2) of subsection (a) of~~ counsel and advice pursuant to
26 Code Section 15-11-69 to pay:

1 (1) An initial court supervision user's fee of not less than \$10.00 nor more than \$200.00;
2 and

3 (2) A court supervision user's fee of not less than \$2.00 nor more than \$30.00 for each
4 month that the child receives supervision

5 to the clerk of the court. The child and each parent, guardian, or legal custodian of the child
6 may be jointly and severally liable for the payment of the fee and shall be subject to the
7 enforcement procedure stated in subsection (b) of Code Section 15-11-8. The judge shall
8 attempt to provide that any such fees shall be imposed on such terms and conditions as
9 shall assure that the funds for the payment are from moneys earned by the child. All
10 moneys collected by the clerk under this subsection shall be transferred to the county
11 treasurer, or such other county official or employee who performs duties previously
12 performed by said treasurer, who shall deposit the moneys into a county supplemental
13 juvenile services fund. The governing authority of the county shall appropriate moneys
14 from the county supplemental juvenile services fund to the juvenile court for the court's
15 discretionary use in providing supplemental community based services described in
16 subsection (a) of this Code section to offenders who are children. These funds shall be
17 administered by the county and the court may draw upon them by submitting invoices to
18 the county. The county supplemental juvenile services fund may be used only for these
19 services. Any moneys remaining in the fund at the end of the county fiscal year shall not
20 revert to any other fund but shall continue in the county supplemental juvenile services
21 fund. The county supplemental juvenile services fund may not be used to replace other
22 funding of services.

23 (c) For the purpose of this Code section, the term 'guardian' or 'legal custodian' shall not
24 be interpreted or construed to include the Department of Human Resources."

25 SECTION 2.

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