

House Bill 224

By: Representatives Buckner of the 76th, Manning of the 32nd, Heard of the 114th, Kidd of the 115th, Reece of the 11th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-6-77.4 of the Official Code of Georgia Annotated, relating to an
2 additional divorce case filing fee for the Children’s Trust Fund, so as to increase said
3 additional filing fee to \$15.00; to provide for an exception; to repeal conflicting laws; and
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Code Section 15-6-77.4 of the Official Code of Georgia Annotated, relating to an additional
8 divorce case filing fee for the Children’s Trust Fund, is amended by striking said Code
9 section in its entirety and inserting in lieu thereof a new Code Section 15-6-77.4 to read as
10 follows:

11 "15-6-77.4.

12 (a) In addition to any fees required in Code Sections 15-6-77, 15-6-77.2, 15-6-77.3, and
13 47-14-51, for filing each divorce case, the clerk of superior court shall charge an additional
14 fee of ~~\$5.00~~ \$15.00; provided, however, that such \$15.00 fee may be lowered to \$5.00 at
15 the discretion of the clerk upon the request of a person who claims that the imposition of
16 the fee would pose a financial hardship. Each clerk of the superior court shall collect the
17 additional fees for divorce cases as provided in this Code section and shall pay such
18 moneys over to the ~~commissioner of revenue~~ Georgia Superior Court Clerks’ Cooperative
19 Authority by the last day of the month there following, to be deposited by ~~him~~ the authority
20 into the general treasury. The ~~commissioner of revenue~~ authority shall, on a quarterly basis,
21 make a report and accounting of all funds collected pursuant to this Code section and shall
22 submit such report and accounting to the Office of Planning and Budget, ~~and~~ the
23 Legislative Budget Office, and the Senate Budget Office no later than 30 days after the last
24 day of the preceding quarter.

25 (b) When any such person whose duty it is to collect and pay over such moneys fails to
26 remit the sums within 60 days of the date they are required to be paid over, the same shall

1 be delinquent and there may be imposed, in addition to the principal amount due, a specific
2 penalty in the amount of 5 percent of said principal amount per month for each month
3 during which the money is continued to be delinquent, not to exceed a total of 25 percent
4 of the principal amount.

5 (c) The sums provided for in this Code section shall be collected in accordance with the
6 provision of subsection (b) of Code Section 15-6-77."

7 **SECTION 2.**

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