

House Bill 718

By: Representative Lindsey of the 54<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to pretrial intervention and diversion programs, so as to allow certain courts to create  
3 and administer pretrial intervention and diversion programs; to provide for court costs; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Article 4 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated, relating to  
8 pretrial intervention and diversion programs, is amended by striking subsections (a), (f), and  
9 (g) of Code Section 15-18-80, relating to policy and procedure, and inserting in their  
10 respective places the following:

11 "(a) The prosecuting attorneys for each judicial circuit of this state shall be authorized to  
12 create and administer a Pretrial Intervention and Diversion Program. The prosecuting  
13 attorney for state courts, probate courts, magistrate courts, municipal courts, and any other  
14 court that hears cases involving a violation of the criminal laws of this state or ordinance  
15 violations shall also be authorized to create and administer a Pretrial Intervention and  
16 Diversion Program for offenses within the jurisdiction of such courts."

17 "(f) The prosecuting attorney shall be authorized to assess and collect from each offender  
18 who enters the program a fee not to exceed \$300.00 for the administration of the program.  
19 Any fee collected under this subsection shall be made payable to the general fund of the  
20 ~~county in which the crime is committed~~ jurisdiction which is prosecuting the case.

21 (g) The prosecuting attorney shall be further authorized to collect restitution on behalf of  
22 victims. Any restitution collected under this subsection shall be made payable to and  
23 disbursed by the clerk of court ~~in the county~~ in which the case would be prosecuted."

**SECTION 2.**

1  
2 Said article is further amended by striking Code Section 15-18-81, relating to court costs, and  
3 inserting in lieu thereof the following:

4 "15-18-81.

5 The prosecuting attorney may assess court costs against the defendant for the dismissal of  
6 criminal warrants when the affiant is not a peace officer. Any fee collected under this  
7 subsection shall be made payable to the general fund of the ~~county in which the crime is~~  
8 ~~committed~~ jurisdiction which is prosecuting the case."

**SECTION 3.**

9  
10 All laws and parts of laws in conflict with this Act are repealed.