

House Bill 719

By: Representatives Lindsey of the 54th, Holmes of the 61st, Wilkinson of the 52nd, and Ashe of the 56th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to change provisions relating to the maximum fines which may be imposed by
3 municipal courts; to change provisions relating to the maximum fines which may be
4 specified by municipalities exercising home rule powers; to specifically authorize
5 municipalities to adopt ordinances specifying fines up to a certain maximum amount; to
6 provide for such provisions to control over conflicting provisions of local laws; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
11 in Code Section 36-32-1, relating to establishment, operation, and jurisdiction of municipal
12 courts, by striking subsection (c) and inserting in its place a new subsection to read as
13 follows:

14 "(c) Each municipal court of this state, ~~unless otherwise provided~~ notwithstanding any
15 contrary provision in the local law relating to a particular municipal court, shall be
16 authorized to impose any punishment up to the maximums specified by general law,
17 including the maximums specified in subparagraphs (a)(2)(B) and (a)(2)(C) of Code
18 Section 36-35-6."

19 **SECTION 2.**

20 Said Title 36 is further amended in Code Section 36-35-6, relating to limitations on home
21 rule powers of municipalities, by striking subparagraph (a)(2)(C) and inserting in its place
22 a new subparagraph to read as follows:

23 "(C) Action providing for fines and forfeitures in excess of ~~\$1,000.00~~ \$2,500.00;"

1 **SECTION 3.**

2 Said Title 36 is further amended in said Code Section 36-35-6 by adding at its end a new
3 subsection (d) to read as follows:

4 "(d) Notwithstanding any lower limit in the local law relating to a particular municipal
5 corporation, each municipal corporation is authorized to adopt ordinances punishable by
6 fines of up to \$2,500.00, with the maximum fine to be expressed in each particular
7 ordinance not to exceed \$2,500.00."

8 **SECTION 4.**

9 All laws and parts of laws in conflict with this Act are repealed.