

House Bill 771

By: Representative Buckner of the 76th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to the
2 payment and disposition of fines and forfeitures, so as to authorize the collection of a civil
3 filing fee in certain courts; to provide for distribution of the fee revenue; to provide for
4 deposit of the fee revenue into a separate fund; to provide that fee revenues shall be used
5 exclusively for the purpose of providing indigent defense services; to provide for penalties;
6 to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 "ARTICLE 10

13 15-21-160.

14 Upon filing any civil action in state, magistrate, probate, civil, or county recorder's court,
15 the plaintiff shall pay a filing fee of \$10.00 in addition to any other filing fee or fees
16 otherwise required by law to be paid to such court.

17 15-21-161.

18 The filing fee required to be paid pursuant to Code Section 15-21-160 in state, magistrate,
19 probate, civil, and county recorder's courts, and any interest earned thereon while held by
20 the court, shall be remitted by the clerk of the respective court to the governing authority
21 of the county in which each court is located no later than five business days following the
22 last day of each month.

1 15-21-162.

2 The sums required to be paid over to the county governing authority by this article shall be
3 deposited by the governing authority into a special interest-bearing account to be known
4 as the 'County Indigent Defense Fund.'

5 15-21-163.

6 The fees remitted to the county governing authority and placed in the County Indigent
7 Defense Fund shall be expended by the county governing authority solely and exclusively
8 to provide indigent defense services in the several courts serving the county.

9 15-21-164.

10 Any person whose duty it is to collect and remit the sums provided for in this article who
11 fails or refuses to remit such sums by the date required by this article shall be guilty of a
12 misdemeanor."

13 **SECTION 2.**

14 This Act shall become effective upon its approval by the Governor or upon its becoming law
15 without such approval.

16 **SECTION 3.**

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