

House Bill 974

By: Representative Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to
2 judicial accounting, so as to clarify that probation supervision fees collected by private
3 corporations, enterprises, or agencies contracting for probation services are subject to
4 requirements for reporting to the Georgia Superior Court Clerks' Cooperative Authority; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to judicial
9 accounting, is amended by striking Code Section 15-21A-4, relating to the procedure for
10 reporting and remittance of certain funds collected by any clerk of court or other officer or
11 agent of any court, and inserting in lieu thereof the following:

12 "15-21A-4.

13 (a)(1) Each clerk of any court or any other officer or agent of any court receiving any
14 funds subject to this chapter on or after July 1, 2004, shall remit all such funds to the
15 authority by the end of the month following the month in which such funds are received.

16 (2) The chief judge of superior court for each county shall have the authority to require
17 compliance with paragraph (1) of this subsection by any court within the county. If any
18 court is more than 60 days delinquent or is habitually delinquent in remitting any funds
19 or reports required under this Code section or Code Section 15-21A-6, the authority shall
20 notify the chief judge of superior court of the county in which the court is located.

21 (b) The authority shall prescribe uniform procedures and forms for the reporting and
22 remittance of all funds subject to Code Section 15-21A-3; and all clerks or other officers
23 or agents remitting such funds shall use the prescribed procedures and forms in reporting
24 and remitting funds to the authority.

25 (c) The authority shall prescribe uniform rules, procedures, and forms relative to the partial
26 or installment collection and remittance of funds subject to Code Section 15-21A-3. Any

1 funds held by any court or unit of local government on July 1, 2004, consisting of
2 previously collected partial or installment payments shall be subject to the rules,
3 procedures, and forms so prescribed and shall be remitted to the authority to the extent
4 provided for in such rules and procedures.

5 (d) Probation supervision fees collected by private corporations, enterprises, or agencies
6 contracting for probation services in accordance with Article 6 of Chapter 8 of Title 42
7 shall be subject to requirements for reporting to the authority.

8 ~~(d)~~(e) The authority shall remit all funds collected to the designated receiving entities or
9 general fund of the state treasury within 60 days of receiving such funds."

10

SECTION 2.

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