

Senate Bill 494

By: Senators Mullis of the 53rd, Carter of the 13th, Smith of the 52nd, Hamrick of the 30th,
Thomas of the 54th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to
2 payment and disposition of fines and forfeitures, so as to provide for a technology and court
3 security fee to be collected in certain courts; to provide for the uses of said technology and
4 court security fee; to provide for technology and court security boards in each judicial circuit;
5 to provide an effective date; to provide for a repealer; to provide for related matters; to repeal
6 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 payment and
10 disposition of fines and forfeitures, is amended by adding a new Article 11 to read as
11 follows:

12 "ARTICLE 11

13 15-21-190.

14 (a) In every case in which any magistrate, probate, state, or superior court shall impose a
15 fine for any offense involving a criminal or traffic law of this state or any political
16 subdivision thereof, there shall be imposed a technology and court security fee of no more
17 than \$5.00.

18 (b) In every civil action filed in any magistrate, probate, state, or superior court, there shall
19 be imposed a technology and court security fee of no more than \$5.00.

20 (c) No technology and court security fee shall be imposed in any case in which the filing
21 fee is waived by law or paid by a governmental entity.

22 (d) Within 30 days after the end of the month in which the fees were collected, the clerk
23 of the court shall pay the fees into a specially designated technology and court security

1 fund to be administered by the governing authority of the largest county by population in
2 the judicial circuit.

3 (e) The sums accumulated for the technology and court security fees shall be used
4 exclusively to provide for the technology and court security needs of the judges, district
5 attorneys, public defenders as defined by Code Section 17-12-2, solicitors general, sheriffs,
6 and clerks of the magistrate, probate, juvenile, state, and superior courts in the judicial
7 circuits. Such uses shall include the following pursuant to guidelines promulgated by the
8 Georgia Courts Automation Commission and approved by the Judicial Council of Georgia:

9 (1) Secure the services of an employee or employees to manage, maintain, install, and
10 repair computer and networking hardware and software, to provide purchasing
11 information and recommendations, to provide technical assistance, to coordinate and
12 manage network, Internet, and other such data connections, and for any and all reasonable
13 and necessary related tasks;

14 (2) Computer hardware and software purchases;

15 (3) Lease, maintenance, and installation of computer hardware and software;

16 (4) Purchase, lease, maintenance, and installation of imaging, scanning, facsimile,
17 communications, projection, and printing equipment and software;

18 (5) Purchase, lease, maintenance, and installation of networking, Internet, and other
19 connectivity services to permit related offices to link and share information;

20 (6) Purchase, lease, maintenance, and installation of court security systems and
21 monitoring equipment and services related thereto; and

22 (7) Contracts for any and all of the services provided for in paragraphs (1) through (6)
23 of this subsection with any individual, agency, or entity supplying such services,
24 expertise, or equipment.

25 15-21-191.

26 (a) The expenditure of any sums collected, the hiring, supervision, and termination of any
27 employee or employees, and all contracts entered into pursuant to this article shall be
28 subject to the approval, oversight, and supervision of a technology and court security
29 board.

30 (b) The technology and court security board in each judicial circuit shall consist of the
31 chief superior court judge; a state court judge selected by the state court judges of the
32 circuit; the chief juvenile court judge; a probate court judge selected by the probate court
33 judges of the circuit; a magistrate court judge selected by the magistrate court judges of the
34 circuit; a clerk of superior court selected by the circuit clerks of court; the district attorney;
35 the public defender as defined by Code Section 17-12-2; a solicitor general selected by the
36 solicitor generals of the circuit; and a sheriff selected by the sheriffs of the circuit. The

1 technology and court security board shall by majority vote select a chairperson to preside
2 over its meetings.

3 (c) Each circuit technology and court security board shall have an advisory panel
4 composed of a representative of the state probation office for the circuit, a chief of police
5 selected by the chiefs of police of the circuit, a court administrator selected by the court
6 administrators of the circuit, the district court administrator, and a representative of the
7 county governing authorities selected by the county governing authorities of the circuit.

8 15-21-192.

9 At the end of each state fiscal year beginning from the effective date of this article, an
10 amount equal to 10 percent of the total amount of funds collected for the use of the
11 technology and court security board during that year shall be remitted to the Georgia
12 Courts Automation Commission for redistribution on a competitive basis to other circuit
13 technology and court security boards not having sufficient local resources to fund projects
14 for their respective circuits pursuant to the provisions of paragraphs (1) through (7) of
15 subsection (e) of Code Section 15-21-190. Any funds not distributed by the Georgia
16 Courts Automation Commission shall be returned to the contributing individual circuit
17 technology and court security boards for their use and disposition under Code Section
18 15-21-193.

19 15-21-193.

20 At the end of each second state fiscal year beginning with the effective date of this article,
21 any excess sums not expended or earmarked for the purposes specified in this article shall
22 be paid into the general fund of the county, or if there is more than one county in the
23 judicial circuit, into the general funds of the counties on a pro rata basis according to the
24 population of each county in proportion to the circuit as a whole.

25 15-21-194.

26 This article shall apply to all civil cases filed on or after July 1, 2006, and to all criminal
27 and traffic offenses alleged to have occurred on or after July 1, 2006. The initial fee shall
28 be \$5.00. On July 1, 2007, the chief judge of superior courts of the circuit shall be
29 authorized, with the advice and consent of the technology and court security board, to set
30 the technology and court security fee at an even dollar figure less than \$5.00 by an order
31 filed with the clerks."

32 SECTION 2.

33 This Act shall become effective on July 1, 2006.

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- SECTION 3.
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- All laws and parts of laws in conflict with this Act are repealed.