

House Bill 718 (AS PASSED HOUSE AND SENATE)

By: Representative Lindsey of the 54th

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 **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~~ political subdivision in which the case is being
21 prosecuted.

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

