

The Senate Special Judiciary Committee offered the following substitute to HB 858:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 15 of Title 36 of the Official Code of Georgia Annotated, relating to
2 county law libraries, so as to revise and amend provisions relating to county law libraries and
3 their operation; to authorize the use of law library funds to provide libraries for certain
4 judges; to revise the applicability of a provision relating to payment of certain funds into the
5 county general fund rather than the county law library fund in certain counties; to revise the
6 population classification of such provision so as to permit that provision to hereafter remain
7 applicable to those political subdivisions to which that law was applicable immediately prior
8 to the time the most recent census figures became applicable; to provide for related matters;
9 to provide effective dates; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Chapter 15 of Title 36 of the Official Code of Georgia Annotated, relating to county law
12 libraries, is amended in Code Section 36-15-7, relating to use of county law library funds,
13 by revising subsection (b) as follows:
14

15 "(b) In addition to the uses specified in subsection (a) of this Code section, the board of
16 trustees of a county law library shall be authorized to use funds to establish a law library
17 or libraries for the judges of the superior courts of the judicial circuit and for the judges of
18 the state court in which the county lies. A request for the establishment of one or more
19 such libraries shall be made to the board of trustees by the chief judge of the judicial circuit
20 with the assent of a majority of the superior court judges of the circuit or by the chief judge
21 of the state court of the county with the assent of a majority of the state court judges of the
22 county. It shall be in the discretion of the board of trustees of each county whether to grant
23 the such a request. Any one or more county boards of trustees in the judicial circuit may
24 participate in the establishment of the law library or libraries and, for the purpose of such
25 participation, may enter into agreements regarding the proportional share of expenditures
26 to be borne by each county board of trustees. Purchases made from county law library

27 funds under this subsection shall not duplicate the law books and materials supplied to each
28 judge of superior court or state court by the state or by other sources. Such purchases shall
29 become the property of the judge who requested the purchase and shall be passed on to his
30 or her successor in office."

31 **SECTION 2.**

32 Said chapter is further amended by revising Code Section 36-15-11, relating to payment of
33 certain funds into the county general fund rather than the county law library fund in certain
34 counties, as follows:

35 "36-15-11.

36 Notwithstanding any other provision of this chapter, in all counties of this state having a
37 population of ~~700,000~~ 950,000 or more according to the United States decennial census of
38 1980 or any future such census, all funds collected by reason of this chapter shall be paid
39 into the general treasury of such county, to be used for lawful purposes of the courts of the
40 county, including the maintenance of a county law library; and there shall be no county law
41 library fund. All disbursements for the purposes of this chapter shall be in accordance with
42 the budget procedures which may be established in such counties. In such counties there
43 shall be no treasurer of the board of trustees. The county governing authorities of such
44 counties shall report to the board of trustees, not later than January 15 of each year, the
45 amount of money collected in the preceding calendar year by the assessment of such fees
46 as are provided in this chapter."

47 **SECTION 3.**

48 This Act shall become effective on July 1, 2012, the same date on which the United States
49 decennial census of 2010 shall become effective for purposes of Code Section 36-5-11.

50 **SECTION 4.**

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