

SENATE SUBSTITUTE TO HB 858

AS PASSED SENATE

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 and purchases
 4 for certain judges and courts; to revise the applicability of a provision relating to payment
 5 of certain funds into the county general fund rather than the county law library fund in certain
 6 counties; to revise the population classification of such provision so as to permit that
 7 provision to hereafter remain applicable to those political subdivisions to which that law was
 8 applicable immediately prior to the time the most recent census figures became applicable;
 9 to provide for related matters; to provide effective dates; to repeal conflicting laws; and for
 10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

12 Chapter 15 of Title 36 of the Official Code of Georgia Annotated, relating to county law
 13 libraries, is amended in Code Section 36-15-7, relating to use of county law library funds,
 14 by revising subsections (a) and (b) as follows:
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16 "(a) The money paid into the hands of the treasurer of the board of trustees of the county
 17 law library shall be used for the purchase of law books, reports, texts, periodicals, supplies,
 18 desks, and equipment and for the maintenance, upkeep, and operation of the law library,
 19 including the services of a librarian and, within the discretion of the board of trustees,
 20 payment for purchases made by a county's superior court, state court, probate court,
 21 magistrate court, or juvenile court, and for the purchase or leasing of computer related legal
 22 research equipment and programs, and, at the discretion of the county governing authority,
 23 for the establishment and maintenance of the codification of county ordinances. However,
 24 the amount transferred to the county governing authority for codification pursuant to this
 25 subsection shall not exceed the cost of establishing or maintaining the codification.(b) In
 26 addition to the uses specified in subsection (a) of this Code section, the board of trustees

27 of a county law library shall be authorized to use funds to establish a law library or libraries
 28 for the judges of the superior courts of the judicial circuit and for the judges of the state
 29 court in which the county lies. A request for the establishment of one or more such
 30 libraries shall be made to the board of trustees by the chief judge of the judicial circuit with
 31 the assent of a majority of the superior court judges of the circuit or by the chief judge of
 32 the state court of the county with the assent of a majority of the state court judges of the
 33 county. Additionally, the probate judge, chief magistrate, presiding juvenile court judge,
 34 or any chief judge of any county court may make a similar request. It shall be in the
 35 discretion of the board of trustees of each county whether to grant ~~the~~ such a request. Any
 36 one or more county boards of trustees in the judicial circuit may participate in the
 37 establishment of the law library or libraries and, for the purpose of such participation, may
 38 enter into agreements regarding the proportional share of expenditures to be borne by each
 39 county board of trustees. Purchases made from county law library funds under this
 40 subsection shall not duplicate the law books and materials supplied to each judge of
 41 ~~superior court or state court~~ by the state or by other sources. Such purchases shall become
 42 the property of the judge who requested the purchase and shall be passed on to his or her
 43 successor in office."

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SECTION 2.

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

48 "36-15-11.

49 Notwithstanding any other provision of this chapter, in all counties of this state having a
 50 population of ~~700,000~~ 950,000 or more according to the United States decennial census of
 51 1980 or any future such census, all funds collected by reason of this chapter shall be paid
 52 into the general treasury of such county, to be used for lawful purposes of the courts of the
 53 county, including the maintenance of a county law library; and there shall be no county law
 54 library fund. All disbursements for the purposes of this chapter shall be in accordance with
 55 the budget procedures which may be established in such counties. In such counties there
 56 shall be no treasurer of the board of trustees. The county governing authorities of such
 57 counties shall report to the board of trustees, not later than January 15 of each year, the
 58 amount of money collected in the preceding calendar year by the assessment of such fees
 59 as are provided in this chapter."

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SECTION 3.

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(a) Section 2 of this Act shall become effective on July 1, 2012, the same date on which the United States decennial census of 2010 shall become effective for purposes of Code Section 36-15-11.

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(b) The remaining sections of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

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SECTION 4.

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