

Senate Bill 127

By: Senator Wiles of the 37th

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 add a penalty, late fees, and interest for failure to remit certain
3 funds and reports to the Georgia Superior Court Clerks' Cooperative Authority; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to judicial
8 accounting, is amended by revising Code Section 15-21A-8, relating to the penalty for failure
9 to remit funds, as follows:

10 "15-21A-8.

11 (a) Any clerk of court or any other officer or agent receiving any funds subject to this
12 chapter who knowingly fails to pay over any such funds to the authority as required by this
13 chapter, after receiving notice from the authority that such funds are delinquent, shall be
14 guilty of a misdemeanor, except that if the amount of funds knowingly not paid over is
15 \$10,000.00 or more then such person shall be guilty of a felony and punished by
16 imprisonment for not less than one nor more than ten years. The offense created by this
17 Code section subsection shall not merge with any other offense. Any court, as such term
18 is defined in Code Section 15-21A-7, which is delinquent in paying over funds to the
19 authority shall also pay a late fee equal to 5 percent of the funds owed and interest at the
20 legal rate of interest as set forth in Code Section 7-4-2.

21 (b) No state administered financial assistance, grant, or loan shall be issued to any local
22 government when any clerk of court or any other court officer, judge, or agent of the court
23 of such local government knowingly fails to comply with subsection (b) of Code Section
24 15-21A-7 after receiving notice from the authority that such report is delinquent."

25

SECTION 2.

26 All laws and parts of laws in conflict with this Act are repealed.