

House Bill 487

By: Representatives Meadows of the 5th, Maxwell of the 17th, Benton of the 31st, Buckner of the 130th, and Gordon of the 162nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 14 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Superior Court Clerks' Retirement Fund of Georgia, so as to increase the employee
3 contribution to such fund; to increase certain fines and fees; to provide an effective date; to
4 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 14 of Title 47 of the Official Code of Georgia Annotated, relating to the Superior
8 Court Clerks' Retirement Fund of Georgia, is amended by revising subsection (a) of Code
9 Section 47-14-40, relating to application for membership in the fund, payments by members
10 into the fund, and penalties for late payment, as follows:

11 "(a) Any clerk, in order to participate in the benefits provided for in this chapter, shall
12 make application to the Superior Court Clerks' Retirement Fund of Georgia upon forms to
13 be furnished for that purpose by the board, giving such information as may be required by
14 the board. He or she shall pay \$50.00 per month into the fund; provided, however, that
15 members who first or again become members on or after September 1, 2009, shall pay
16 \$100.00 per month into the fund. All clerks who made application and are accepted for
17 membership in the fund shall remit to the board, not later than the tenth day of each
18 subsequent month, the amount due under this subsection."

19 style="text-align:center">**SECTION 2.**

20 Said chapter is further amended by revising subsection (b) of Code Section 47-14-50, relating
21 to payments to the fund from fines and bonds collected in criminal and quasi-criminal cases,
22 duty of collecting authority to record and remit, and penalty for late payment, as follows:

23 "(b) The sum of ~~\$1.75~~ \$2.00 shall be paid to the board from each fine collected and each
24 bond forfeited and collected in any criminal or quasi-criminal case for violation of state law
25 if the case is tried in any court of this state in which the clerk of such court is eligible for

26 membership in this retirement fund. The collecting authority shall pay such amounts to the
 27 board each month or at such other times as the board may provide. Such amounts shall be
 28 due on the first day of the month following the month in which they were collected but
 29 shall be deemed timely if received by the board on or before the fifteenth day of the month;
 30 provided, however, that for purposes of calculating late payment penalties, the due date
 31 shall be the first day of the month. It shall be the duty of the collecting authority to keep
 32 accurate records of the amounts due the board. Such records may be audited by the board
 33 at any time. The sums remitted to the board under this Code section shall be used for the
 34 purposes provided for in this chapter."

35 **SECTION 3.**

36 Said chapter is further amended by revising subsections (a) and (b) of Code Section
 37 47-14-51, relating to payments to the fund from fees collected in certain civil actions and for
 38 recording of instruments pertaining to real estate, records, audit of records, and use of sums
 39 remitted, as follows:

40 "(a) In addition to all other legal costs, the sum of ~~\$1.00~~ \$2.00 shall be charged and
 41 collected in each civil suit, action, case, or proceeding filed in the superior courts or in any
 42 other court of this state in which a clerk eligible for membership in this retirement fund is
 43 clerk, including, without limiting the generality of the foregoing, all adoptions, charters,
 44 certiorari, applications by a personal representative for leave to sell or reinvest, trade name
 45 registrations, applications for change of name, and all other proceedings of a civil nature,
 46 filed in the superior courts or other such courts.

47 (b) In addition to all other legal costs, the sum of ~~50¢~~ \$1.50 shall be charged and collected
 48 in addition to any other fees or costs for the processing of all instruments pertaining to real
 49 estate filed in the superior courts."

50 **SECTION 4.**

51 This Act shall become effective upon its approval by the Governor or upon its becoming law
 52 without such approval.

53 **SECTION 5.**

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