

The Senate Retirement Committee offered the following substitute to HB 487:

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; to provide for an additional payment to
4 such fund; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Chapter 14 of Title 47 of the Official Code of Georgia Annotated, relating to the Superior
7 Court Clerks' Retirement Fund of Georgia, is amended by revising subsection (a) of Code
8 Section 47-14-40, relating to application for membership in the fund, payments by members
9 into the fund, and penalties for late payment, as follows:
10

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."

SECTION 2.

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

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 in Code Section 47-14-51, relating to payments to the fund
37 from fees collected in certain civil actions and for recording of instruments pertaining to real
38 estate, records, audit of records, and use of sums remitted, by adding a new subsection to
39 read as follows:

40 "(e) The sum of \$1.00 shall be paid out of the fees charged and collected pursuant to Title
41 15 in each civil suit, action, case, or proceeding filed in the superior courts or in any other
42 court of this state in which a clerk eligible for membership in this retirement fund is clerk
43 and shall be remitted to the board as provided in subsection (c) of this Code section. Such
44 fees shall include, without limiting the generality of the foregoing, all adoptions, charters,
45 certiorari, applications by a personal representative for leave to sell or reinvest, trade name
46 registrations, applications for change of name, and all other proceedings of a civil nature
47 filed in the superior courts or other such courts."

48 **SECTION 4.**

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

51 **SECTION 5.**

52 All laws and parts of laws in conflict with this Act are repealed.