

The House Committee on Judiciary offers the following substitute to SB 50:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to clerks of superior courts, so as to change the priorities of distribution of fines,  
3 forfeitures, surcharges, additional fees, and costs in cases of partial payments into the court;  
4 to add certain fees to the list of priorities; to provide for related matters; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to  
9 clerks of superior courts, is amended by revising Code Section 15-6-95, relating to priorities  
10 of distribution of fines, forfeitures, surcharges, additional fees, and costs in cases of partial  
11 payments into the court, as follows:

12 "15-6-95.

13 Notwithstanding any law to the contrary, a clerk of any superior court of this state who  
14 receives partial payments, as ordered by the court, of criminal fines, forfeitures, or costs  
15 shall distribute said sums in the order of priority set forth below:

16 (1) The amount provided for in Chapter 17 of Title 47 for the Peace Officers' Annuity  
17 and Benefit Fund;

18 (2) The amount provided for in Chapter 14 of Title 47 for the Superior Court Clerks'  
19 Retirement Fund of Georgia;

20 (3) The amount provided for in ~~Chapter 16 of Title 47 for the Sheriffs' Retirement Fund~~  
21 ~~of Georgia~~ Code Section 36-15-9 for county law libraries;

22 (4) The amounts provided under subparagraphs (a)(1)(A) and (a)(2)(A) of Code Section  
23 15-21-73;

24 (5) The amounts provided for under subparagraphs (a)(1)(B) and (a)(2)(B) of Code  
25 Section 15-21-73;

26 ~~(6) The amount as may be provided in Chapter 15 of Title 36 for county law libraries;~~

27 ~~(7)~~(6) The surcharge amounts provided for in ~~Chapter 21 of this title~~ Code Section  
 28 15-21-93 for jail construction and staffing;

29 (7) The amounts provided for in subsection (d) of Code Section 42-8-34;

30 (8) The amount provided for Code Section 15-21-131 for funding local victim assistance  
 31 programs;

32 ~~(8)~~(9) The surcharge amount provided for in cases of driving under the influence for  
 33 purposes of ~~state crime victim compensation~~ the Georgia Crime Victims Emergency  
 34 Fund under Code Section 15-21-112;

35 ~~(9)~~(10) The application fee provided for in subsection (c) or (e) of Code Section  
 36 15-21A-6;

37 ~~(10)~~(11) The balance of the fine ~~shall be paid~~ owed to the county; and

38 (12) The amount provided for in cases of driving under the influence for purposes of the  
 39 Brain and Spinal Injury Trust Fund under Code Section 15-11-149;

40 ~~(11)~~(13) The amount provided for in Code Section 15-21-100 ~~After the final partial or~~  
 41 ~~installment payment, the surcharge provided for in Code Sections 15-21-100 and~~  
 42 ~~15-21-101~~ for the Drug Abuse Treatment and Education Fund; and

43 (14) The amount provided for in Chapter 16 of Title 47 for the Sheriffs' Retirement Fund  
 44 of Georgia."

**SECTION 2.**

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