

ADOPTED

Representatives Welch of the 110th and Caldwell of the 131st offer the following amendment:

1 *Amend the Senate amendment to HB 851 (AM 44 0022ER) by deleting all matter from said*
 2 *amendment from beginning to end and replacing with the following:*

3 *By replacing lines 1 through 4 with the following:*

4 To amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated,
 5 relating to clerks of superior courts, and Chapter 15 of Title 36 of the Official Code of
 6 Georgia Annotated, relating to county law libraries, so as to revise the procedure for
 7 collecting law library fees; to revise the composition of the board of trustees; to revise the
 8 uses of excess funds by a county law library; to require an annual audit of the financial
 9 affairs, books, and records of boards of trustees of the county law library; to provide for
 10 publication of such audit; to provide for related matters; to provide an effective date; to
 11 repeal conflicting laws; and for other purposes.

12 *By replacing lines 7 and 8 with the following:*

13 Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to
 14 clerks of superior courts, is amended by revising subsection (b) of Code Section 15-6-77,
 15 relating to fees and construction of other fee provisions, as follows:

16 "(b) All sums as provided for in this Code section shall be inclusive of the sums that the
 17 clerks of the superior courts may be required to collect pursuant to ~~Code Section 36-15-9~~
 18 ~~and~~ Code Section 15-6-77.4. The sums provided in this Code section are exclusive of costs
 19 for service of process or other additional sums as may be provided by law."

20 **SECTION 2.**

21 Chapter 15 of Title 36 of the Official Code of Georgia Annotated, relating to county law
 22 libraries, is amended by revising Code Section 36-15-1, relating to board of trustees created
 23 in each county, composition, chairperson, and quorum, as follows:

24 "36-15-1.

25 There is created in each county in this state a board to be known as the board of trustees
 26 of the county law library, hereafter referred to as the board. The board shall consist of the
 27 chief judge of the superior court of the circuit in which the county is located; the judge of
 28 the probate court; the senior judge of the state court, if any; the district attorney of the
 29 circuit in which the county is located; a solicitor-general of the state court, if any; the clerk
 30 of the superior court; and two practicing attorneys of the county. The practicing attorneys
 31 shall be selected by the other trustees and shall serve at their pleasure. All of the trustees

32 shall serve without pay. The chief judge of the superior court shall be chairperson of the
 33 board. A majority of the members of the board shall constitute a quorum for the purpose
 34 of transacting all business that may come before the board."

35 SECTION 3.

36 Said chapter is further amended by revising subsection (c) of Code Section 36-15-7, relating
 37 to use of funds, as follows:

38 "(c) In the event the board of trustees determines in its discretion that it has excess funds,
 39 such funds as may be designated by the board of trustees shall be ~~granted~~ disbursed by the
 40 board of trustees to charitable ~~tax-exempt tax-exempt~~ organizations which provide civil
 41 legal representation for low-income people; used to purchase software, equipment, fixtures,
 42 or furnishings for any office related to county judicial facilities or services, including, but
 43 not limited to, courtrooms and jury rooms; or. Any remaining excess funds shall be turned
 44 over to the county commissioners, and said funds shall be and used by the county
 45 commissioners for the purchase of software, equipment, fixtures, or and furnishings for the
 46 courthouse."

47 SECTION 4.

48 Said chapter is further amended by revising subsection (f) of Code Section 36-15-9, relating
 49 to collection of additional costs in court cases, amount, determination of need as prerequisite
 50 to collection, and collection in certain criminal cases, as follows:

51 "~~(f) The sums provided for in subsection (a) of this Code section for actions, cases, or~~
 52 ~~proceedings civil in nature which are filed in the superior courts shall be collected in~~
 53 ~~accordance with the provisions of subsection (b) of Code Section 15-6-77~~ Reserved."

54 SECTION 5.

55 Said chapter is further amended by adding a new Code section to read as follows:

56 *By replacing line 12 with the following:*

57 by the county accountant as employed pursuant to Code Section 36-1-10; the internal
 58 auditor

59 *By redesignating Section 2 as Section 6 and inserting between lines 22 and 23 the following:*

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

62 SECTION 7.