

House Bill 812

By: Representatives Nimmer of the 178th, Corbett of the 174th, Shaw of the 176th, LaRiccia of the 169th, and Spencer of the 180th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-15-9 of the Official Code of Georgia Annotated, relating to
2 collection of additional costs in court cases for county law libraries, amount, determination
3 of need as prerequisite to collection, and collection in certain criminal cases; to amend
4 Article 5 of Chapter 10 of Title 15, regarding fees and costs in magistrate courts, so as to
5 repeal Code Section 15-10-86 of the Official Code of Georgia Annotated, relating to law
6 library fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 36-15-9 of the Official Code of Georgia Annotated, relating to collection of
10 additional costs in court cases for county law libraries, amount, determination of need as
11 prerequisite to collection, and collection in certain criminal cases, is amended by revising
12 subsection (a) as follows:

13 "(a) For the purpose of providing funds for those uses specified in Code Section 36-15-7,
14 a sum not to exceed \$5.00, in addition to all other legal costs, may be charged and collected
15 in each action or case, either civil or criminal, including, without limiting the generality of
16 the foregoing, all adoptions, certiorari, applications by personal representatives for leave
17 to sell or reinvest, trade name registrations, applications for change of name, and all other
18 proceedings of civil or criminal or quasi-criminal nature, filed in the superior, state,
19 probate, and any other courts of record, except county recorders' courts or municipal courts,
20 and also in magistrate courts. The amount of such additional costs to be charged and
21 collected, if any, in each such case shall be fixed by the chief judge of the superior court
22 of the circuit in which such county is located. Such additional costs shall not be charged
23 and collected unless the chief judge first determines that a need exists for a law library in
24 the county. The clerk of each and every such court in such counties in which such a law
25 library is established shall collect such fees and remit the same to the treasurer of the board
26 of trustees of the county law library of the county in which the case was brought, on the

27 first day of each month. Where fees collected by the treasurer have been allocated for the
28 purpose of establishing or maintaining the codification of county ordinances, the allocated
29 amount shall in turn be remitted by the treasurer to the county governing authority for said
30 purpose on a monthly basis or as otherwise agreed by the treasurer and the county
31 governing authority. The county ordinance code provided for in subsection (a) of Code
32 Section 36-15-7 shall be maintained by the county governing authority. When the costs
33 in criminal cases are not collected, the cost provided in this Code section shall be paid from
34 the fine and bond forfeiture fund of the court in which the case is filed, before any other
35 disbursement or distribution of such fines or forfeitures is made."

36 **SECTION 2.**

37 Article 5 of Chapter 10 of Title 15, regarding fees and costs in magistrate courts, is amended
38 by repealing Code Section 15-10-86 of the Official Code of Georgia Annotated, relating to
39 law library fees, and designating said Code section as reserved.

40 **SECTION 3.**

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