House Bill 942 (AS PASSED HOUSE AND SENATE)

By: Representatives Dean of the 49th, Brooks of the 47th, Stanley-Turner of the 43rd, Post 2, Beasley-Teague of the 48th, Post 2, Holmes of the 48th, Post 1, and others

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing a new charter for the City of Atlanta, approved April 15, 1996 (Ga. L. 1996, p. 4469), as amended, so as to provide for additional penalties in the municipal court; to provide for the collection and distribution of penalties; to provide for use of funds for victims and witnesses assistance programs; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing a new charter for the City of Atlanta, approved April 15, 1996 (Ga. L. 1996, p. 4469), as amended, is amended by adding immediately after Section 4-102 a new Section 4-102A to read as follows:

"SECTION 4-102A.

Victims and Witnesses Assistance Programs.

(a) In every case in the Municipal Court of Atlanta in which the court imposes a fine for a violation of a state law or a city ordinance, there shall be imposed as an additional penalty a sum not to exceed $3.00.

(b) At the time of posting bail or bond in any case before the Municipal Court of Atlanta, an additional sum not to exceed $3.00 shall be posted, and in every case in which the court orders the forfeiture of bail or bond, the additional sum posted shall be distributed as provided in subsection (c) of this section.

(c) The additional penalty in cases in which fines are imposed and the additional sum for forfeiture of bails and bonds provided for in subsections (a) and (b) of this section shall be collected by the court officer charged with the duty of collecting fines and forfeited bails or bonds. The funds collected under this section shall be distributed by the City of Atlanta Finance Department. One-third of the funds collected shall be distributed to the City Court

of Atlanta, also known as traffic court, in support of the Victims and Witnesses Assistance Program operated by the chief judge of such court. Two-thirds of the funds collected under this section shall be distributed by the City of Atlanta Finance Department to the Victims and Witnesses Assistance Program formerly operated by the crime commission in the Municipal Court of Atlanta. Budgets for each of the Victims and Witnesses Assistance Programs named in this section shall be submitted to the Finance Committee of the Atlanta City Council for review and approval of the distribution of the funds. An annual report to the governing authority of the City of Atlanta of the moneys received by each recipient of these funds shall be made by the chief judge of each court in which a Victims and Witnesses Assistance Program is supported by the funds collected under this section.

(d) Except for moneys paid into the Victims and Witnesses Assistance Program as provided in subsections (a) through (c) of this section, all moneys arising from fines or forfeitures imposed and collected in the Municipal Court of Atlanta shall be paid into the treasury of the respective city and shall be used exclusively to defray the expense of operating the court.″

SECTION 2.

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