

Senators Jackson of the 41st, Anderson of the 43rd, Mangham of the 55th, Parent of the 44th, Harrell of the 40th and others offered the following substitute to HB 1504:

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the State Court of DeKalb County, formerly known as the Civil
2 and Criminal Court of DeKalb County, approved February 14, 1951 (Ga. L. 1951, p. 2401),
3 as amended, particularly by an Act approved May 3, 2021 (Ga. L. 2021, p. 3624), so as to
4 authorize the charge and collection of technology fees; to provide for a court administrator;
5 to revise provisions related to compensation; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the State Court of DeKalb County, formerly known as the Civil and
10 Criminal Court of DeKalb County, approved February 14, 1951 (Ga. L. 1951, p. 2401), as
11 amended, particularly by an Act approved May 3, 2021 (Ga. L. 2021, p. 3624), is amended
12 by adding a new section to read as follows:

13 "SECTION 11B.3.

14 (a) The clerk of the State Court of DeKalb County is authorized to charge and collect a
15 technology fee to be set by majority vote of the judges of the state court in an amount not

16 to exceed \$50.00 for the filing of each civil action with the court. Funds collected pursuant
17 to this authorization shall be maintained in a segregated account by the clerk of the state
18 court and shall be used only for the benefit of the state court for purposes authorized in this
19 section.

20 (b) The clerk of the Magistrate Court of DeKalb County is authorized to charge and collect
21 a technology fee to be set by the chief magistrate in an amount not to exceed \$50.00 for the
22 filing of each civil action with the court. Funds collected pursuant to this authorization shall
23 be maintained in a segregated account by the clerk of the magistrate court and shall be used
24 only for the benefit of the magistrate court for purposes authorized in this section.

25 (c) The technology fees authorized by this section shall be used exclusively for the
26 technological needs of the court collecting the fee and shall be used only for the following
27 purposes:

- 28 (1) Computer hardware and software purchases;
- 29 (2) Lease, maintenance, and installation of computer hardware and software;
- 30 (3) Purchase, lease, maintenance, and installation of imaging, scanning, facsimile,
31 communications, projection, and printing equipment and software; and
- 32 (4) Procurement of services and equipment for the conservation of court records and
33 archiving the same to digital contents for public access."

34 **SECTION 2.**

35 Said Act is further amended by adding a new section to read as follows:

36 "SECTION 20.1.

37 (a) The court administrator of the State Court and Magistrate Court of DeKalb County
38 shall be appointed by and may only be removed by a vote of at least eight judges of the
39 state court, and the chief magistrate.

40 (b) Upon the position of court administrator becoming vacant, the chief judge, the
41 presiding judge of Division B, and the chief magistrate of DeKalb County shall meet and
42 nominate a person to serve as court administrator. Such nomination must be unanimous and
43 shall be subject to approval as provided for in subsection (a) of this section.

44 (c) The court administrator on the effective date of this section shall remain in that position
45 unless he or she resigns or is removed pursuant to subsection (a) of this section.

46 (d) The court administrator shall have the authority to appoint and remove such court
47 administration personnel as he or she deems necessary.

48 (e) The court administrator shall have primary administrative responsibility for the budget,
49 fiscal affairs, purchasing, human resources, payroll, facilities management and projects,
50 information technology, court interpreters, accountability court programs, and government
51 relations of the State Court and Magistrate Court of DeKalb County, subject to direction
52 by the judges in a manner consistent with this Act.

53 (f) If the chief magistrate elects to appoint a separate court administrator to serve the
54 Magistrate Court of DeKalb County, or if at least eight judges of the state court elect to
55 appoint a separate court administrator to serve the State Court of DeKalb County, the chief
56 magistrate shall cease to participate in and shall not be counted regarding the appointment,
57 removal, and nomination processes established in subsections (a) and (b) of this section."

58 **SECTION 3.**

59 Said Act is further amended by revising Section 21.2 as follows:

60 "SECTION 21.2.

61 (a) As used in this section, the term 'State Court of DeKalb County' shall also mean 'State
62 Court and Magistrate Court of DeKalb County' if applicable to a specific position.

63 (b) Each judge of the State Court of DeKalb County, the chief magistrate and each
64 associate magistrate of DeKalb County, the judge of the Probate Court of DeKalb County,

65 and each judge of the Juvenile Court of DeKalb County shall receive the compensation
66 provided in the Act providing for the compensation of certain county officers and officials
67 of DeKalb County, approved March 31, 1976 (Ga. L. 1976, p. 3986), as amended, and shall
68 also receive the following benefits and supplemental compensation provided to employees
69 of DeKalb County: health insurance, dental insurance, life insurance, vision insurance,
70 flexible benefits, retirement benefits, and longevity pay. Each elected judge or elected
71 judicial officer identified in this subsection shall also receive from DeKalb County a
72 monthly supplement in a gross amount equal to his or her monthly employee contributions
73 to any state or county pension plan, less applicable taxes and withholdings.

74 (c) The court administrator of the State Court of DeKalb County shall be paid an annual
75 salary equal to 90 percent of the annual salary paid to the court administrator of the
76 Superior Court of DeKalb County, not including any longevity pay furnished to the court
77 administrator of the Superior Court of DeKalb County; provided, however, that the annual
78 salary of an individual serving as court administrator of the State Court of DeKalb County
79 shall not be reduced while he or she continues to serve in that position.

80 (d) The clerk of the State Court of DeKalb County shall be paid an annual salary equal
81 to 90 percent of the annual salary paid to the court administrator of the State Court of
82 DeKalb County, not including any longevity pay furnished to the court administrator of the
83 State Court of DeKalb County; provided, however, that the annual salary of an individual
84 serving as clerk of the State Court of DeKalb County shall not be reduced while he or she
85 continues to serve in that position.

86 (e) The marshal and the chief probation officer of the State Court of DeKalb County shall
87 each be paid an annual salary established by the judges of the State Court of DeKalb
88 County, subject to funding and administrative approval by the governing authority of
89 DeKalb County.

90 (f) Unless provided otherwise in the Act providing for the compensation of certain county
91 officers and officials of DeKalb County, approved March 31, 1976 (Ga. L. 1976, p. 3986),

92 as amended, the annual salaries provided in this section shall be paid in equal biweekly
93 installments from funds of DeKalb County.

94 (g) The court administrator, the clerk, the marshal, and the chief probation officer of the
95 State Court of DeKalb County shall be provided all benefits and supplemental
96 compensation generally available to employees of DeKalb County, including, but not
97 limited to, health insurance, dental insurance, life insurance, vision insurance, flexible
98 benefits, retirement benefits, longevity pay, cost of living adjustments, incentives, annual
99 leave, and sick leave."

100

SECTION 4.

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