

Senate Bill 50

By: Senator Hamrick of the 30th

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

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

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to superior courts,  
10 is amended by revising paragraph (1) of subsection (c) of Code Section 15-6-18, relating to  
11 alternative locations, as follows:

12 "(1) In each county of this state having a population of not more than 50,000 according  
13 to the United States decennial census of 1990 or any future such census, if for any cause  
14 it shall or may be impractical to hold any session or sitting of any superior or state court  
15 at the courthouse or other place provided by law therefor or if it should appear to the  
16 governing authority of the county that the best interest of the public would be served by  
17 the furnishing of alternate or additional facilities for the holding of any session or sitting  
18 of any superior or state court, it shall be lawful to hold court and any session or sitting  
19 thereof at such place or places as the governing authority of the county in and for which  
20 the court is to be held may from time to time, by appropriate resolution, provide for such  
21 purpose, provided that no session or sitting of any superior court or state court may be  
22 held under this subsection at any place that is not open to and accessible by the public;  
23 provided, further, that no criminal jury trial shall be conducted in such alternate or  
24 additional facility ~~without the consent of the accused~~ unless such location is a facility  
25 owned or leased by the governing authority of the county; and"

26 **SECTION 2.**

27 Said chapter is further amended by revising Code Section 15-6-95, relating to priorities of  
 28 distribution of fines, forfeitures, surcharges, additional fees, and costs in cases of partial  
 29 payments into the court, as follows:

30 "15-6-95.

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

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

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

38 (3) The amount provided for in Chapter 16 of Title 47 for the Sheriffs' Retirement Fund  
 39 of Georgia;

40 (4) The amounts provided under subparagraphs (a)(1)(A) and (a)(2)(A) of Code Section  
 41 15-21-73;

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

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

45 ~~(7)(6) The surcharge amounts provided for in Chapter 21 of this title Code Section~~  
 46 15-21-93 for jail construction and staffing;

47 (7) The amount provided for in Code Section 15-21-131 for funding local victim  
 48 assistance programs;

49 (8) The amount provided for in Code Section 36-15-9 for county law libraries;

50 (9) The balance of the base fine owed to the county;

51 ~~(8)(10) The surcharge amount provided for in cases of driving under the influence for~~  
 52 ~~purposes of state crime victim compensation~~ the Georgia Crime Victims Emergency  
 53 Fund under Code Section 15-21-112;

54 ~~(9)(11) The application fee provided for in subsection (c) or (e) of Code Section~~  
 55 15-21A-6;

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

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

59 ~~(11)(13) The amount provided for in Code Section 15-21-100 After the final partial or~~  
 60 ~~installment payment, the surcharge provided for in Code Sections 15-21-100 and~~  
 61 ~~15-21-101 for the Drug Abuse Treatment and Education Fund; and~~

62 (14) The amounts provided for in subsection (d) of Code Section 42-8-34."

63

**SECTION 3.**

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