

House Bill 487 (AS PASSED HOUSE AND SENATE)

By: Representatives Meadows of the 5<sup>th</sup>, Maxwell of the 17<sup>th</sup>, Benton of the 31<sup>st</sup>, Buckner of the 130<sup>th</sup>, and Gordon of the 162<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 14 of Title 47 of the Official Code of Georgia Annotated, relating to the  
2 Superior Court Clerks' Retirement Fund of Georgia, so as to increase the employee  
3 contribution to such fund; to increase certain fines; to provide for an additional payment to  
4 such fund; to amend Article 4 of Chapter 17 of Title 47 of the Official Code of Georgia  
5 Annotated, relating to revenues collected from fines and fees relative to the Peace Officers'  
6 Annuity and Benefit Fund, so as to provide for a certain employer contribution to such fund;  
7 to provide an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 14 of Title 47 of the Official Code of Georgia Annotated, relating to the Superior  
11 Court Clerks' Retirement Fund of Georgia, is amended by revising subsection (a) of Code  
12 Section 47-14-40, relating to application for membership in the fund, payments by members  
13 into the fund, and penalties for late payment, as follows:

14 "(a) Any clerk, in order to participate in the benefits provided for in this chapter, shall  
15 make application to the Superior Court Clerks' Retirement Fund of Georgia upon forms to  
16 be furnished for that purpose by the board, giving such information as may be required by  
17 the board. He or she shall pay \$50.00 per month into the fund; provided, however, that  
18 members who first or again become members on or after September 1, 2009, shall pay  
19 \$100.00 per month into the fund. All clerks who made application and are accepted for  
20 membership in the fund shall remit to the board, not later than the tenth day of each  
21 subsequent month, the amount due under this subsection."

22 **SECTION 2.**

23 Said chapter is further amended by revising subsection (b) of Code Section 47-14-50, relating  
24 to payments to the fund from fines and bonds collected in criminal and quasi-criminal cases,  
25 duty of collecting authority to record and remit, and penalty for late payment, as follows:

26 "(b) The sum of ~~\$1.75~~ \$2.00 shall be paid to the board from each fine collected and each  
 27 bond forfeited and collected in any criminal or quasi-criminal case for violation of state law  
 28 if the case is tried in any court of this state in which the clerk of such court is eligible for  
 29 membership in this retirement fund. The collecting authority shall pay such amounts to the  
 30 board each month or at such other times as the board may provide. Such amounts shall be  
 31 due on the first day of the month following the month in which they were collected but  
 32 shall be deemed timely if received by the board on or before the fifteenth day of the month;  
 33 provided, however, that for purposes of calculating late payment penalties, the due date  
 34 shall be the first day of the month. It shall be the duty of the collecting authority to keep  
 35 accurate records of the amounts due the board. Such records may be audited by the board  
 36 at any time. The sums remitted to the board under this Code section shall be used for the  
 37 purposes provided for in this chapter."

38 **SECTION 3.**

39 Said chapter is further amended in Code Section 47-14-51, relating to payments to the fund  
 40 from fees collected in certain civil actions and for recording of instruments pertaining to real  
 41 estate, records, audit of records, and use of sums remitted, by adding a new subsection to  
 42 read as follows:

43 "(e) The sum of \$1.00 shall be paid out of the fees charged and collected pursuant to Title  
 44 15 in each civil suit, action, case, or proceeding filed in the superior courts or in any other  
 45 court of this state in which a clerk eligible for membership in this retirement fund is clerk  
 46 and shall be remitted to the board as provided in subsection (c) of this Code section. Such  
 47 fees shall include, without limiting the generality of the foregoing, all adoptions, charters,  
 48 certiorari, applications by a personal representative for leave to sell or reinvest, trade name  
 49 registrations, applications for change of name, and all other proceedings of a civil nature  
 50 filed in the superior courts or other such courts."

51 **SECTION 4.**

52 Article 4 of Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to  
 53 revenues collected from fines and fees relative to the Peace Officers' Annuity and Benefit  
 54 Fund, is amended by adding a new Code section to read as follows:

55 "47-17-61.

56 The Composite State Board of Medical Examiners shall pay an employer contribution for  
 57 each person who becomes a member of the fund pursuant to division (5)(I)(vi) of Code  
 58 Section 47-17-1. Such contribution shall be the full actuarial cost of the member's  
 59 participation as calculated by the actuary for the fund and shall be made on a monthly  
 60 basis."

61 **SECTION 5.**

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

64 **SECTION 6.**

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