

The House Committee on Judiciary offers the following substitute to HB 1078:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to fees and costs, so as to authorize the assessment and collection of a technology  
3 fee by the magistrate court; to require approval by the governing authority of the county; to  
4 provide for conditions; to specify the use of such fee; to provide for a segregated account for  
5 such fee; to provide for related matters; to provide for an effective date; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 5 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to fees  
10 and costs, is amended by adding a new Code section to read as follows:

11 "15-10-88.

12 (a) The magistrate court shall be authorized to assess and collect a technology fee in the  
13 manner provided for in this Code section.

14 (b) No technology fee shall be assessed or collected unless approved by resolution of the  
15 governing authority of the county. Such resolution shall establish the fee in an amount not  
16 to exceed \$10.00. The proceeds of the fee shall be collected by the clerk of the magistrate  
17 court and remitted to the governing authority of the county on a monthly basis. Such  
18 proceeds shall be maintained by the governing authority of the county in a separate,  
19 segregated account and shall be expended solely for the purposes enumerated in  
20 subsection (e) of this Code section. Such account shall be audited by such governing  
21 authority annually.

22 (c) Prior to the establishment of a technology fee, the chief judge of the superior court  
23 shall create and serve as the chairperson of a Criminal Justice Information Systems  
24 Committee, which shall be composed of the chief judge of the magistrate court, the judge  
25 of the probate court, the judge of the state court if the county has a state court, the clerk of  
26 the superior court, and the sheriff of the county. It shall be the duty of the committee to

27 supervise the expenditure of the proceeds of the technology fee and to make any necessary  
28 technology recommendations to the governing authority of the county.

29 (d) The magistrate court technology fee shall be a surcharge to each:

30 (1) Conviction;

31 (2) Filing of a civil action; or

32 (3) Filing of an affidavit, except for affidavits of indigency.

33 (e) The magistrate court technology fee shall be assessed and collected not more than once  
34 per party within any one action or proceeding and shall be used exclusively for any one or  
35 more of the following:

36 (1) Computer hardware and software purchases;

37 (2) Lease, maintenance, and installation of computer hardware and software;

38 (3) Purchase, lease, maintenance, and installation of audio-visual, imaging, scanning,  
39 facsimile, communications, recording, projection, and printing equipment and software;

40 (4) Purchase or lease of data storage;

41 (5) Purchase of local or remote technological support services; and

42 (6) Cybersecurity insurance."

43 **SECTION 2.**

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

46 **SECTION 3.**

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