

House Bill 485

By: Representative Welch of the 110th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to
2 judicial accounting, so as to change the judicial operations fund fee and provide for a sunset;
3 to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to judicial
7 accounting, is amended by revising Code Section 15-21A-6.1, relating to the judicial
8 operations fund fee, collection, and reporting, as follows:

9 "15-21A-6.1.

10 (a)(1) In addition to all other legal costs, there shall be charged to the filing party and
11 collected by the clerk an additional filing fee of \$125.00, to be known as a judicial
12 operations fund fee, in each civil action or case filed in a superior court except that the
13 state, including, but not limited to, its departments, agencies, boards, bureaus,
14 commissions, public corporations, and authorities, municipalities, counties, and political
15 subdivisions shall be exempt from such fee. Without limiting the generality of the
16 foregoing, such fee shall apply to all adoptions, certiorari, trade name registrations,
17 applications for change of name, and all other proceedings of a civil nature. Any matter
18 which is docketed upon the official dockets of the superior court and to which a number
19 is assigned shall be subject to such fee, whether such matter is contested or not; provided,
20 however, that the judicial operations fund fee shall not apply to the issuance of
21 certificates of appointment and reappointment of notaries public.

22 (2) Effective July 1, 2020, the filing fee set forth in this subsection shall be \$85.00.

23 (3) Effective July 1, 2021, the filing fee set forth in this subsection shall be \$45.00.

24 (b) Each superior court clerk shall collect the fees provided in this Code section and the
25 moneys shall be paid over to the authority by the last day of the month after the month of
26 collection, to be deposited by the authority into the general fund of the state treasury.

27 (c) The authority shall, on a quarterly basis, make a report and accounting of all funds
 28 collected pursuant to this Code section and shall submit such report and accounting to the
 29 Office of Planning and Budget, the House Budget and Research Office, and the Senate
 30 Budget and Evaluation Office no later than 60 days after the last day of the preceding
 31 quarter.

32 (d) This Code section shall stand repealed on June 30, 2022."

33 **SECTION 2.**

34 Said chapter is further amended by revising Code Section 15-21A-6.2, relating to exemption
 35 from judicial operations fund fee, collection, and reporting procedures, as follows:

36 "15-21A-6.2.

37 (a)(1) In addition to all other legal costs, there shall be charged to the filing party and
 38 collected by the clerk an additional filing fee of \$125.00, to be known as a judicial
 39 operations fund fee, in each civil action or case filed in a state court except that the state,
 40 including, but not limited to, its departments, agencies, boards, bureaus, commissions,
 41 public corporations, and authorities, municipalities, counties, and political subdivisions
 42 shall be exempt from such fee. Without limiting the generality of the foregoing, such fee
 43 shall apply to any matter which is docketed upon the official dockets of the state court
 44 and to which a number is assigned, whether such matter is contested or not.

45 (2) Effective July 1, 2020, the filing fee set forth in this subsection shall be \$85.00.

46 (3) Effective July 1, 2021, the filing fee set forth in this subsection shall be \$45.00.

47 (b)(1) Each Prior to July 1, 2020, each state court clerk shall collect the fees provided in
 48 this Code section and the moneys due the authority shall be paid over to the authority by
 49 the last day of the month after the month of collection with \$75.00 of these moneys paid
 50 to the authority to be deposited by the authority into the general fund of the state treasury
 51 and \$50.00 of these moneys shall be retained by the local governing authority.

52 (2) Effective July 1, 2020, \$50.00 of the moneys paid shall be remitted to the authority
 53 to be deposited by the authority into the general fund of the state treasury and \$35.00 of
 54 such moneys paid shall be retained by the local governing authority in the same manner
 55 as provided in paragraph (1) of this subsection.

56 (3) Effective July 1, 2021, \$27.00 of the moneys paid shall be remitted to the authority
 57 to be deposited by the authority into the general fund of the state treasury and \$18.00 of
 58 such moneys paid shall be retained by the local governing authority in the same manner
 59 as provided in paragraph (1) of this subsection.

60 (c) The authority shall, on a quarterly basis, make a report and accounting of all funds
 61 collected pursuant to this Code section and shall submit such report and accounting to the
 62 Office of Planning and Budget, the House Budget and Research Office, and the Senate

63 Budget and Evaluation Office no later than 60 days after the last day of the preceding
64 quarter.

65 (d) This Code section shall stand repealed on June 30, 2022."

66 **SECTION 3.**

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