

House Bill 1059

By: Representatives Willard of the 51<sup>st</sup>, Riley of the 50<sup>th</sup>, Wilkinson of the 52<sup>nd</sup>, Geisinger of the 48<sup>th</sup>, Lindsey of the 54<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act establishing a municipal court of the City of Atlanta (now a division of the  
2 State Court of Fulton County), approved August 20, 1913 (Ga. L. 1913, p. 145), as amended,  
3 particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6045), so as to revise certain  
4 fees; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 An Act establishing a municipal court of the City of Atlanta (now a division of the State  
8 Court of Fulton County), approved August 20, 1913 (Ga. L. 1913, p. 145), as amended,  
9 particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6045), is amended by  
10 revising subsections (a) and (c) of Section 49 as follows:

11 "(a) Except as otherwise provided in this Act, the filing cost, including the first judgment  
12 and fi. fa., for all suits or proceedings of any character, except garnishment and  
13 proceedings against tenant holding over, irrespective of how they shall be terminated, shall  
14 be \$55.00 plus \$8.00 for each defendant more than one. In addition, there shall be a  
15 \$50.00, per copy, charge for serving copy of process and returning original by the marshal."

16 "(c) The filing cost for a proceeding against tenant holding over, except as otherwise  
17 provided in this Act or where the writ of possession is executed, shall be \$55.00 plus \$8.00  
18 for each defendant more than one. In addition, there shall be a \$35.00, per copy, charge  
19 for serving copy of process and returning original by the marshal. Where it is necessary  
20 to apply for, execute, or apply for and execute the writ of possession there shall be a \$75.00  
21 charge for the application, execution, or application and execution."

22 **SECTION 2.**

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

25

**SECTION 3.**

26 All laws and parts of laws in conflict with this Act are repealed.