

House Bill 870

By: Representatives Tanner of the 9th, Kidd of the 145th, Dickson of the 6th, Lumsden of the 12th, and Cooper of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 21 of Title 15 of the Official Code of Georgia Annotated,
2 relating to the Brain and Spinal Injury Trust Fund, so as to provide for the imposition of an
3 additional fine for reckless driving; to provide for the disposition of such fine; to provide for
4 related matters; to provide for a contingent effective date; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 9 of Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to the
9 Brain and Spinal Injury Trust Fund, is amended by revising Code Section 15-21-151, which
10 was previously reserved, as follows:

11 "15-21-151.

12 ~~Reserved~~ (a) In every case in which any court in this state shall impose a fine, which shall
13 be construed to include costs, for any violation of Code Section 40-6-390, relating to
14 reckless driving, or for violations of ordinances of political subdivisions which have
15 adopted by reference Code Section 40-6-390, there shall be imposed as an additional
16 penalty a sum equal to 10 percent of the original fine. Such sums shall be in addition to
17 any amount required to be paid into any pension, annuity, or retirement fund under Title 47
18 or any other law and in addition to any other amounts provided for in this chapter.

19 (b) The sums provided for in subsection (a) of this Code section shall be assessed and
20 collected by the clerk or court officer charged with the duty of collecting moneys arising
21 from fines and shall be paid over by the last day of the following month to the Georgia
22 Superior Court Clerks' Cooperative Authority for remittance to the Brain and Spinal Injury
23 Trust Fund Commission created in Code Section 15-21-142, to be deposited into the Brain
24 and Spinal Injury Trust Fund."

25

SECTION 2.

26 This Act shall become effective on January 1, 2015, provided that a constitutional
27 amendment is passed by the General Assembly and is ratified by the voters in the
28 November, 2014, General Election amending the State Constitution to add the offense of
29 reckless driving to the offenses for which the General Assembly may impose additional
30 penalties or fees to be paid into the Brain and Spinal Injury Trust Fund.

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SECTION 3.

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