

House Bill 870 (AS PASSED HOUSE AND SENATE)

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

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.

31

**SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.