

House Bill 1313 (AS PASSED HOUSE AND SENATE)

By: Representatives Burnough of the 77th, Bell of the 75th, Douglas of the 78th, Holly of the 116th, and Scott of the 76th

A BILL TO BE ENTITLED
AN ACT

1 To authorize the assessment and collection of an eviction mediation program fee by the
2 Magistrate Court of Clayton County; to identify the authorized uses of such fee; to provide
3 for the termination of such fee and dedication of residual funds; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 (a) The clerk of the Magistrate Court of Clayton County is hereby authorized to charge and
8 collect an eviction mediation program fee not to exceed \$5.00 for the filing of each
9 dispossessory proceeding with the court. Said fee shall be a part of, and not in addition to,
10 the standard filing fee for such proceedings. Such eviction mediation program fee shall be
11 used exclusively to operate and support the Eviction Mediation Program of the Magistrate
12 Court of Clayton County.

13 (b) Funds collected pursuant to this section shall be maintained in a segregated account by
14 the clerk of the magistrate court and shall be used only for the purposes authorized in this
15 section.

16 (c)(1) The authority to assess the fee pursuant to this Act shall terminate upon the
17 effective date of any general state-wide law authorizing or directing the levy and
18 collection of a fee similar to the one provided for in this Act, and any residual funds
19 remaining in the account established by subsection (b) of this section shall remain
20 dedicated to the operation and support of the Eviction Mediation Program of the
21 Magistrate Court of Clayton County.

22 (2) In the event that the Eviction Mediation Program of the Magistrate Court of Clayton
23 County is terminated or ceases to operate for a period of 24 months, any residual funds
24 remaining in the account established by subsection (b) of this section shall be treated in
25 the same manner as monies collected as the standard filing fee for dispossessory
26 proceeding with the court.

27 **SECTION 2.**

28 All laws and parts of laws in conflict with this Act are repealed.