

House Bill 587 (AS PASSED HOUSE AND SENATE)

By: Representatives Gambill of the 15<sup>th</sup> and Scoggins of the 14<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to reincorporate the City of Cartersville in the County of Bartow, approved  
2 March 28, 1974 (Ga. L. 1974, p. 3697), as amended, so as to provide for a finance director;  
3 to remove the duties of an ex officio treasurer from the city clerk; to authorize the Municipal  
4 Court of the City of Cartersville to charge a technology fee; to identify the authorized uses  
5 of such technology fee; to provide for the termination of such technology fee; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to reincorporate the City of Cartersville in the County of Bartow, approved  
10 March 28, 1974 (Ga. L. 1974, p. 3697), as amended, is amended by revising Section 3.08 as  
11 follows:

12 "SECTION 3.08.

13 City clerk.

14 (a) The mayor and council shall appoint a city clerk. He or she shall be responsible for  
15 keeping and preserving the city seal and all records of council, attending meetings of the  
16 council and keeping a journal of its proceedings at such meetings, including the names of  
17 members present and absent, the vote of each member on each question, each motion  
18 considered, a proper index of such proceedings, and the title of each resolution or  
19 ordinance considered; preparing and certifying copies of official records in his or her  
20 office, for which fees may be prescribed by ordinance; and performing such other duties  
21 as may be required by the city council.

22 (b) The city council shall require the clerk, before entering upon the discharge of his or her  
23 duties, to give a good and sufficient bond in an amount to be decided by the city council,  
24 but not less than \$100,000.00, said bond payable to the City of Cartersville, for the faithful  
25 performance of his or her duties and to secure against corruption, malfeasance,  
26 misappropriations, or unlawful expenditures. Said surety bond shall be obtained from a  
27 surety company licensed to do business in the State of Georgia, City of Cartersville, and  
28 the premium thereon shall be paid by the city.

29 (c) The city council shall also appoint a deputy city clerk, who shall discharge the duties  
30 of the city clerk in his or her absence, and shall have other such duties as may be  
31 designated by the city council."

32 **SECTION 2.**

33 Said Act is further amended by adding a new section to read as follows:

34 "SECTION 3.13.  
35 Finance director.

36 The mayor and city council shall approve the appointment of the finance director in the  
37 same manner as for all other city department heads. The finance director shall be the ex  
38 officio treasurer and shall also keep a true and accurate account of the receipts and  
39 expenditures of the city. The city council shall require the finance director, before entering  
40 upon the discharge of his or her duties, to give a good and sufficient bond in an amount to  
41 be decided by the city council, but not less than \$100,000.00, said bond payable to the City  
42 of Cartersville, for the faithful performance of his or her duties and to secure against  
43 corruption, malfeasance, misappropriations, or unlawful expenditures. Said surety bond  
44 shall be obtained from a surety company licensed to do business in the State of Georgia,  
45 City of Cartersville, and the premium thereon shall be paid by the city."

46 **SECTION 3.**

47 Said Act is further amended by adding a new section to read as follows:

48 "SECTION 6.08.  
49 Technology fee.

50 (a) The clerk of the Municipal Court of the City of Cartersville is hereby authorized to  
51 charge and collect a technology fee as a surcharge to each criminal and quasi-criminal fine  
52 paid. The technology fee shall be set by order of the judge of the court, provided that the  
53 fee shall not exceed \$20.00.

54 (b) The fee authorized by subsection (a) of this section shall be used exclusively to provide  
55 for the following technological needs of the court and the city's police department:

- 56 (1) The purchase, lease, maintenance, and installation of computer hardware and  
57 software;
- 58 (2) The purchase, lease, maintenance, and installation of equipment and software used  
59 for imaging, scanning, facsimile, communications, projections, and printing; and
- 60 (3) The purchase of body-worn cameras.
- 61 (c) All funds collected pursuant to this Act shall be maintained in a segregated account by  
62 the chief financial officer of the city and clerk of court, separate from other funds of the  
63 city, and shall be expended only for the authorized purposes provided in this section upon  
64 direction of the city manager. The funds may be used to reimburse the city's information  
65 technology department for services provided to the court or police department.
- 66 (d) The authorization in subsection (a) of this Act to charge and collect a technology fee  
67 shall expire on July 1, 2030, unless prior to such date the governing authority of the City  
68 of Cartersville enacts an ordinance renewing such authorization for a further five-year  
69 period. The governing authority of the City of Cartersville may further renew such  
70 authorization for subsequent five-year periods through the adoption of subsequent  
71 ordinances."

72 **SECTION 4.**

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