

House Bill 138 (COMMITTEE SUBSTITUTE)

By: Representatives Hawkins of the 27th, Barr of the 103rd, Dunahoo of the 30th, Dubnik of the 29th, and Tanner of the 9th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of judges of superior courts, so as to provide for a fifth judge of the superior courts of the Northeastern Judicial Circuit; to provide for the appointment of such additional judge by the Governor; to provide for the election of successors to the judge initially appointed; to prescribe the powers of such judge; to declare inherent authority; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of judges of superior courts, is amended by revising paragraph (26) as follows:

"(26) Northeastern Circuit ~~4~~ 5"

SECTION 2.

One additional judge of the superior courts is added to the Northeastern Judicial Circuit, thereby increasing to five the number of judges of said circuit.

SECTION 3.

Said additional judge shall be appointed by the Governor for a term continuing through December 31, 2020, and until his or her successor is elected and qualified. His or her successor shall be elected in the manner provided by law for the election of judges of the superior courts of this state at the nonpartisan judicial election in 2020, for a term of four years beginning on January 1, 2021, and until his or her successor is elected and qualified. Future successors shall be elected at the nonpartisan judicial election each four years after such election for terms of four years and until their successors are elected and qualified. They shall take office on the first day of January following the date of the election.

SECTION 4.

The additional judge of the superior courts of the Northeastern Judicial Circuit shall have and may exercise all powers, duties, dignity, jurisdiction, privileges, and immunities of the present judges of the superior courts of this state. The new judge is authorized to employ court personnel on the same basis as other judges of the Northeastern Judicial Circuit.

SECTION 5.

Except as expressly stated, nothing in this Act shall be construed to alter or repeal any provision of any local Act relating to the Northeastern Judicial Circuit. Nothing in this Act shall be deemed to limit or restrict the inherent powers, duties, and responsibilities of superior court judges provided by the Constitution and statutes of the State of Georgia.

SECTION 6.

This Act shall become effective on January 1, 2018, provided that state funds have been appropriated for the additional judgeship provided for by this Act.

SECTION 7.

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