

House Bill 1061

By: Representatives Barnes of the 97th, Dodson of the 94th, Seay of the 93rd and Wix of the 33rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 13 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated,
2 relating to trials of certain misdemeanors in magistrate courts, so as to grant jurisdiction to
3 magistrate courts in child abandonment cases; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 13 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to
8 trials of certain misdemeanors in magistrate courts, is amended by striking Code Section
9 15-10-260, relating to jurisdiction and penalties, and inserting in its place the following:
10 "15-10-260.

11 (a) This article governs trials of misdemeanor violations of Code Sections 16-13-30 and
12 16-13-2, relating to possession of less than one ounce of marijuana; Code Section 16-8-14,
13 relating to theft by shoplifting of \$300.00 or less; Code Section 3-3-23, relating to
14 furnishing alcoholic beverages to, and purchase and possession of alcoholic beverages by,
15 a person under 21 years of age; ~~and~~ Code Section 16-7-21, relating to criminal trespass;
16 and Code Section 19-10-1, relating to misdemeanor prosecutions for abandonment of a
17 minor child, whether or not said offense of abandonment of a minor child occurred within
18 or outside an incorporated area of the county.

19 (b) Magistrate courts are authorized to conduct trials and impose sentences for violations
20 of misdemeanors specified in subsection (a) of this Code section; Except as otherwise
21 provided in subsection (a) of this Code section, the violation must have occurred in the
22 unincorporated area of the county.

23 (c) A person convicted of violation of a misdemeanor specified in subsection (a) of this
24 Code section shall be punished as provided in paragraphs (1) through (4) of this subsection
25 as follows:

- 1 (1) For possession of less than one ounce of marijuana, as provided in subsection (b) of
2 Code Section 16-13-2;
- 3 (2) For theft by shoplifting, as provided in paragraph (1) of subsection (b) of Code
4 Section 16-8-14;
- 5 (3) For furnishing alcoholic beverages to, and purchase and possession of alcoholic
6 beverages by, a person under 21 years of age, as provided in Code Section 3-3-23.1; ~~and~~
- 7 (4) For criminal trespass, as provided in subsection (d) of Code Section 16-7-21; and
- 8 (5) For abandonment of a minor child, as provided in subsection (b) of Code Section
9 19-10-1.
- 10 (d) The jurisdiction of magistrate courts to try and dispose of the misdemeanor violations
11 enumerated in subsection (a) of this Code section shall be concurrent with the jurisdiction
12 of any other courts having jurisdiction to try and dispose of such cases."

13

SECTION 2.

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