

House Bill 1064

By: Representatives Walker of the 141st, O'Neal of the 139th, Ray of the 128th and Floyd of the 138th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated,
2 relating to probate courts in general, so as to change provisions relating to additional
3 eligibility requirements for the office of judge of the probate court in certain counties; to
4 change the size of the counties in which such additional requirements shall be applicable; to
5 provide for continuing eligibility of judges holding office at the time such requirements first
6 become applicable; to provide for related matters; to provide an effective date; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to
11 probate courts in general, is amended by striking Code Section 15-9-4, relating to additional
12 eligibility requirements for the office of judge of the probate court in certain counties, and
13 inserting in its place a new Code section to read as follows:

14 "15-9-4.

15 (a) No person elected judge of the probate court in any county provided for in this Code
16 section shall engage in the private practice of law.

17 (b) Except as otherwise provided by subsection (c) of this Code section, in any county of
18 this state having a population of more than ~~96,000~~ 150,000 persons according to the United
19 States decennial census of ~~1990~~ 2000 or any future such census ~~and in which the probate~~
20 ~~court of such county meets the definition of a probate court as provided by Article 6 of this~~
21 ~~chapter~~, no person shall be judge of the probate court unless at the time of election, in
22 addition to the qualifications required by law, he or she has attained the age of 30 years and
23 has been admitted to practice law for seven years preceding election.

24 (c) A judge of the probate court holding such office ~~on July 1, 1994~~, at the time this Code
25 section first becomes applicable to the county in which such judge serves shall continue to
26 hold such office and shall be allowed to seek reelection for such office."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.