

House Bill 1326

By: Representatives Cash of the 108<sup>th</sup>, Sanders of the 107<sup>th</sup>, Lunsford of the 109<sup>th</sup>, Maddox of the 72<sup>nd</sup> and Jordan of the 96<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the State Court of Henry County, approved March 27, 1998 (Ga.  
2 L. 1998, p. 3954), as amended, so as to provide for an additional judge for said court; to  
3 provide for the election of the judges of said court; to provide for a chief judge; to change the  
4 provisions relating to the election of the solicitor-general of said court; to provide an  
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act creating the State Court of Henry County, approved March 27, 1998 (Ga. L. 1998,  
9 p. 3954), as amended, is amended by striking Section 11 in its entirety and inserting in lieu  
10 thereof a new Section 11 to read as follows:

11 "SECTION 11.

- 12 (a) Until January 1, 2003, there shall be one judge of the State Court of Henry County.  
13 The judge of the state court in office on March 1, 2002, shall continue to serve the term of  
14 office to which he or she was elected and until the election and qualifications of his or her  
15 successor. For the four-year term commencing January 1, 2003, the position shall be on  
16 the ballot for nonpartisan election to be held and conducted jointly with the general primary  
17 in 2002 and quadrennially thereafter pursuant to Code Section 21-2-138 of the O.C.G.A.  
18 (b) Effective January 1, 2003, there shall be two judges of the State Court of Henry  
19 County. The second judge added effective January 1, 2003, shall be elected by the  
20 qualified voters of Henry County in a nonpartisan election to be held and conducted jointly  
21 with the general primary in 2002 pursuant to Code Section 21-2-138 of the O.C.G.A. The  
22 judge thus elected shall serve a four-year term and until such officer's successor is elected  
23 and qualified.  
24 (c) The judges of said court shall have such qualifications and shall be subject to such  
25 restrictions and discipline as provided in Chapter 7 of Title 15 of the O.C.G.A. Said judges

1 shall be vested with the power and authority of the judges of the state courts by Chapter 7  
2 of Title 15 of the O.C.G.A.

3 (d) The judges shall devote their full time to the duties of said office and shall be paid a  
4 salary equal to 90 percent of the salary now or hereafter paid to the judges of the Superior  
5 Court of Henry County. Said salary shall be payable out of the funds of Henry County at  
6 the same intervals as installments are paid to other county employees.

7 (e) The judge of the State Court of Henry County who has served the longest period of  
8 time in office as judge of said court shall be the chief judge of the State Court of Henry  
9 County."

10 **SECTION 2.**

11 Said Act is further amended by striking subsection (a) of Section 12 in its entirety and  
12 inserting in lieu thereof a new subsection (a) to read as follows:

13 "(a) There shall be a solicitor-general of the State Court of Henry County. The  
14 solicitor-general of the State Court of Henry County shall serve for a term of office of four  
15 years and until the election and qualifications of a successor. Election to the position of  
16 solicitor-general shall be conducted at the nonpartisan election to be held and conducted  
17 jointly with the general primary in 2002 held pursuant to Code Section 21-2-138 of the  
18 O.C.G.A. and quadrennially thereafter."

19 **SECTION 3.**

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

22 **SECTION 4.**

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