

House Bill 1583

By: Representatives Cash of the 108th, Lunsford of the 109th and Sanders of the 107th

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 initial appointment of such additional judge; to provide for terms of office;
4 to provide for the subsequent election of the judges of said court; to provide for a chief judge;
5 to change the provisions relating to the election of the solicitor-general of said court; to
6 provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 "SECTION 11.

13 (a) Until January 1, 2003, there shall be one judge of the State Court of Henry County.
14 The judge of the state court in office on March 1, 2002, shall continue to serve the term of
15 office to which he or she was elected and until the election and qualification of his or her
16 successor. For the four-year term commencing January 1, 2003, the position shall be on
17 the ballot for nonpartisan election to be held and conducted jointly with the general primary
18 in 2002 and quadrennially thereafter pursuant to Code Section 21-2-138 of the O.C.G.A.
19 (b) Effective January 1, 2003, there shall be two judges of the State Court of Henry
20 County. The second judge added effective January 1, 2003, shall be appointed by the
21 Governor for an initial term of office ending on December 31, 2004, and until his or her
22 successor is elected and qualified. The successor to said judge shall be elected by the
23 qualified voters of Henry County at a nonpartisan election to be held and conducted jointly
24 with the general primary in 2004 and quadrennially thereafter pursuant to Code Section

1 31-2-138 of the O.C.G.A. The judge thus elected shall serve a four-year term and until
2 such officer's successor is elected and qualified.

3 (c) The judges of said court shall have such qualifications and shall be subject to such
4 restrictions and discipline as provided in Chapter 7 of Title 15 of the O.C.G.A. Said judges
5 shall be vested with the power and authority of the judges of the state courts by Chapter 7
6 of Title 15 of the O.C.G.A.

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

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

14 **SECTION 2.**

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

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

23 **SECTION 3.**

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

26 **SECTION 4.**

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