

House Bill 782

By: Representatives Massey of the 86th, Richardson of the 26th, Coan of the 82nd, Davis of the 60th, Stokes of the 92nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to courts, so as to provide a short title; to provide that no judge
3 or Justice of any court, magistrate, or presiding officer of any inferior judicatory shall create
4 rules of law on a retroactive basis, including rules of law that would apply to conduct that
5 occurred prior to the time of filing of a claim arising out of that conduct; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as "The Separation of Powers Act: Prevention of
10 Retroactive Judicial Lawmaking."

11 **SECTION 2.**

12 Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general
13 provisions relative to courts, is amended by adding at the end thereof a new Code Section 15-
14 1-15 to read as follows:

15 "15-1-15.

16 No judge or Justice of any court, magistrate, or presiding officer of any inferior judicatory
17 shall create rules of law on a retroactive basis, including rules of law that would apply to
18 conduct that occurred prior to the time of filing of a claim arising out of that conduct."

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.