

House Bill 836

By: Representatives Mills of the 67th, Post 2, Rogers of the 20th, Amerson of the 9th, Reece of the 21st, and Coan of the 67th, Post 1

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the State Court of Hall County, approved August 14, 1891 (Ga.
2 L. 1890-91, Vol. II, p. 939), as amended, so as to provide for an additional judge for said
3 court after June 30, 2003; to provide for the initial appointment and subsequent election of
4 such additional judge; to provide for terms of office; to provide for the qualifications and
5 compensation of such additional judge; to provide for an associate state court judge; to
6 provide for the designation of a chief judge; to provide an effective date; to repeal conflicting
7 laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act creating the State Court of Hall County, approved August 14, 1891 (Ga. L. 1890-91,
11 Vol. II, p. 939), as amended, is amended by striking Sections 2, 2A, and 2B in their entirety
12 and inserting in lieu thereof the following:

13 **"SECTION 2.**

14 (a) There shall be a judge of said state court, who shall be elected by the qualified voters
15 of Hall County and who shall, after the first term of office hereinafter provided for, hold
16 an office for the term of four years, and all vacancies in the office of judge, except as
17 hereinafter provided, shall be filled by a special election called for that purpose, and any
18 person so elected shall serve for the remainder of the unexpired term.

19 (b) Effective July 1, 2003, there shall be two judges of the State Court of Hall County.
20 The second judge added effective July 1, 2003, shall be appointed by the Governor for an
21 initial term of office ending on December 31, 2004, and until his or her successor is elected
22 and qualified. The successor to said judge shall be elected by the qualified voters of Hall
23 County at an election to be held and conducted jointly with the general primary in 2004 and
24 quadrennially thereafter pursuant to Code Section 21-2-138 of the O.C.G.A. The judge

1 thus elected shall serve a four-year term and until such officer's successor is elected and
2 qualified.

3 (c) It shall be the duty of the governing authority of Hall County or other proper officers
4 of said county to make provisions annually in levying taxes for this purpose. The
5 qualifications of the judges of the State Court of Hall County shall be the same as those of
6 a judge of the superior courts, and the laws prohibiting a superior court judge from
7 engaging in the private practice of law shall be applicable to the judges of the State Court
8 of Hall County.

9 SECTION 2A.

10 (a) The two judges of the State Court of Hall County shall each receive an annual salary
11 equal to 90 percent of the gross salary as defined in subsection (b) of this section.

12 (b) For the purposes of this section, the term 'gross salary' shall mean the annual salary
13 received by a superior court judge from state funds only, effective January 1, 1983, plus
14 any increases in said annual salary for superior court judges from state funds only, on or
15 after January 1, 1983.

16 SECTION 2B.

17 (a) The solicitor of the State Court of Hall County shall receive an annual salary equal to
18 90 percent of the gross salary as defined in subsection (b) of this section.

19 (b) For the purposes of this section, the term 'gross salary' shall mean the annual salary
20 received by a district attorney from state funds only, effective January 1, 1983, plus any
21 increases in said annual salary for district attorneys from state funds only, on or after
22 January 1, 1983.

23 SECTION 2C.

24 The chief judge of the state court may appoint one person to serve at the pleasure of such
25 judge as an associate state court judge on a part-time basis. An associate state court judge
26 shall be a member of the State Bar of Georgia and meet the requirements for a full-time
27 state court judge. The compensation of the associate state court judge shall be fixed by the
28 chief judge with the approval of the governing authority of the county and shall be set at
29 no greater than 50 percent of a full-time state court judge's salary.

30 SECTION 2D.

31 The judge of the State Court of Hall County who has served the longest continuous period
32 of time in office as judge of said court shall be the chief judge of the State Court of Hall
33 County."

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.