

House Bill 836 (AS PASSED HOUSE AND SENATE)

By: Representatives Mills of the 67<sup>th</sup>, Post 2, Rogers of the 20<sup>th</sup>, Amerson of the 9<sup>th</sup>, Reece of the 21<sup>st</sup>, and Coan of the 67<sup>th</sup>, 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 abolish the associate judge position for said  
3 court; to provide for an additional full-time judge for said court; to provide for the initial  
4 appointment of such additional judge; to provide for terms of office of the judges of said  
5 court; to provide for the subsequent election of the judges of said court; to provide for  
6 qualifications, restrictions, discipline, power, and authority of the judges of said court; to  
7 provide for salaries of the judges of said court; to provide for a Chief Judge of said court; to  
8 revise and restate provisions relating to the Solicitor's salary; to provide for related matters;  
9 to provide an effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating the State Court of Hall County, approved August 14, 1891 (Ga. L. 1890-91,  
13 Vol. II, p. 939), as amended, is amended by striking that Section 2B that was added by the  
14 amendatory Act approved April 6, 1992 (Ga. L. 1992, p. 5414) and that related to the  
15 position of associate state court judge and thereby abolishing the position of associate state  
16 court judge.

17 **SECTION 2.**

18 Said Act is further amended by striking Section 2, Section 2A, and that Section 2B that was  
19 added by the amendatory Act approved April 12, 1982 (Ga. L. 1982, p. 3852) and that related  
20 to compensation of the Solicitor, in their entirety and inserting in lieu thereof a new Section  
21 2 to read as follows:

22 "SECTION 2.

23 (a) Until July 1, 2003, there shall be one full-time judge and one associate judge of the  
24 State Court of Hall County, as provided by existing law. The full-time judge of said court,

1 in office prior to July 1, 2003, shall continue to serve the term of office to which he or she  
2 was elected and until the election and qualification of his or her successor.

3 (b) Effective July 1, 2003, there shall be two full-time judges of the State Court of Hall  
4 County. The first judge shall continue to serve as provided in subsection (a) of this section.  
5 The second judge, added effective July 1, 2003, shall be appointed by the Governor for an  
6 initial term of office ending on December 31, 2004, and until his or her successor is elected  
7 and qualified. The successor to said judge shall be elected by the qualified voters of Hall  
8 County at a nonpartisan election to be held and conducted jointly with the general primary  
9 in 2004 and quadrennially thereafter pursuant to Code Section 21-2-138 of the O.C.G.A.  
10 The judge thus elected shall serve a four-year term and until such officer's successor is  
11 elected and qualified.

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

16 (d) The judges of said court shall receive an annual salary equal to 90 percent of the gross  
17 salary as defined in subsection (e) of this section which shall be payable out of the funds  
18 of Hall County at the same intervals as installments are paid to other county employees.

19 (e) For the purposes of subsection (d) of this section, the term 'gross salary' shall mean the  
20 annual salary received by a Superior Court judge, from state funds only, effective July 1,  
21 2003, plus any increases in said annual salary for Superior Court judges, from state funds  
22 only, on or after July 1, 2003.

23 (f) The judge who has served the longest period of time in office of said court shall be the  
24 Chief Judge."

### 25 SECTION 3.

26 Said Act is further amended by adding at the end of Section 4A new subsections (d) and (e)  
27 to read as follows:

28 "(d) The Solicitor of said court shall receive an annual salary equal to 90 percent of the  
29 gross salary as defined in subsection (e) of this section which shall be payable out of the  
30 funds of Hall County at the same intervals as installments are paid to other county  
31 employees.

32 (e) For the purposes of subsection (d) of this section, the term 'gross salary' shall mean the  
33 annual salary received by a District Attorney, from state funds only, effective July 1, 2003,  
34 plus any increases in said annual salary for District Attorneys, from state funds only, on or  
35 after July 1, 2003."

1 **SECTION 4.**

2 Said Act is further amended by striking from subsection (b) of Section 4A all references to  
3 the following:

4 "Section 2B of this Act"

5 and inserting in lieu thereof the following:

6 "Section 4(d) of this Act".

7 **SECTION 5.**

8 This Act shall become effective July 1, 2003.

9 **SECTION 6.**

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