

House Bill 451 (AS PASSED HOUSE AND SENATE)

By: Representatives Murphy of the 14<sup>th</sup>, Post 2, Knox of the 14<sup>th</sup>, Post 1, and Jones of the 38<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act entitled "An Act to make provisions for the Magistrate Court of Forsyth  
2 County," approved March 15, 1984 (Ga. L. 1984, p. 4293), as amended, particularly by an  
3 Act approved March 30, 1989 (Ga. L. 1989, p. 4848), so as to provide qualifications,  
4 election, and terms of the chief magistrate; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 An Act entitled "An Act to make provisions for the Magistrate Court of Forsyth County,"  
8 approved March 15, 1984 (Ga. L. 1984, p. 4293), as amended, particularly by an Act  
9 approved March 30, 1989 (Ga. L. 1989, p. 4848), is amended by striking in its entirety  
10 Section 1 and inserting in lieu thereof the following:

11 "SECTION 1.

12 Effective January 1, 2009, no person shall be chief magistrate of the Magistrate Court of  
13 Forsyth County unless, at the time of his or her election, he or she has attained the age of  
14 30 years, has been a citizen of the State of Georgia for at least three years, has been an  
15 active member in good standing of the State Bar of Georgia for at least three years, has  
16 practiced law or served as a magistrate for seven years, and has been duly reinstated to the  
17 practice of law in the event of his or her disbarment therefrom. At the state-wide  
18 nonpartisan election conducted in 2008 and every four years thereafter, the chief magistrate  
19 of Forsyth County shall be nominated and elected by the qualified voters of Forsyth County  
20 in a nonpartisan election. Persons elected to such office shall take office the first day of  
21 January immediately following such election and shall serve for a term of office of four  
22 years and until the election and qualification of their respective successors. The procedures  
23 for such nonpartisan primary and election shall be as provided in Code Section 21-2-139  
24 of the O.C.G.A. Except as otherwise provided in this Act, the primary and election shall  
25 be governed by Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

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**SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.