

Senate Bill 101

By: Senators Wiles of the 37th, Harp of the 29th, Reed of the 35th and Weber of the 40th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to  
2 provide for requests that a hearing, trial, or other proceeding be held before an elected judge  
3 of the superior or state court, as the case may be; to provide for a definition; to provide for  
4 an effective date and applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in Chapter  
8 6, relating to superior courts, by inserting a new Code section to be designated Code Section  
9 15-6-37 to read as follows:

10 "15-6-37.

11 At any hearing, trial, or other proceeding, if the individual presiding is not an elected judge  
12 of the superior court, any plaintiff may request that such hearing, trial, or other proceeding  
13 be held before an elected judge of the superior court, and such request shall be granted. As  
14 used in this Code section, the term 'elected judge' means a duly elected judge or a judge  
15 who has been appointed to fill a vacancy for an elective office as provided by Article VI,  
16 Section VII, Paragraph III of the Georgia Constitution."

17 style="text-align:center">**SECTION 2.**

18 Said title is further amended in Chapter 7, relating to state courts, by inserting a new Code  
19 section to be designated Code Section 15-7-51 to read as follows:

20 "15-7-51.

21 Notwithstanding any provision of general or local law to the contrary, at any hearing, trial,  
22 or other proceeding, if the individual presiding is not an elected judge of the state court,  
23 any plaintiff may request that such hearing, trial, or other proceeding be held before an  
24 elected judge of the state court, and such request shall be granted. As used in this Code  
25 section, the term 'elected judge' means a duly elected judge or a judge who has been

1 appointed to fill a vacancy for an elective office as provided by Article VI, Section VII,  
2 Paragraph III of the Georgia Constitution."

3 **SECTION 3.**

4 This Act shall become effective on July 1, 2005, and shall apply to actions filed on and after  
5 that date.

6 **SECTION 4.**

7 All laws and parts of laws in conflict with this Act are repealed.