

Senate Bill 508

By: Senators Tarver of the 22nd and Powell of the 23rd

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the City Court of Richmond County, now the State Court of  
2 Richmond County, approved September 22, 1881 (Ga. L. 1880-81, p. 574), as amended, so  
3 as to change the second division's jurisdiction to make the second division judge coequal  
4 with those judges of Division 1; to remove references to associate judge; to create a third  
5 division of the State Court of Richmond County; to provide for the judge of the third division  
6 and the qualifications, election, duties, responsibilities, and compensation thereof; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the City Court of Richmond County, now the State Court of Richmond  
11 County, approved September 22, 1881 (Ga. L. 1880-81, p. 574), as amended, is amended  
12 by striking Section 2-2 and inserting in its place a new section to read as follows:

13 "SECTION 2-2.

14 (a)(1) In addition to all other judges of the state court, there shall be one judge of the  
15 second division. The qualifications and election of the judge shall be as provided by  
16 general law.

17 (2) Except as otherwise provided in this section, said judge shall have and may exercise  
18 all powers, duties, jurisdictions, privileges, and immunities of the present judge of the  
19 State Court of Richmond County under the provision of this Act and the general law  
20 applicable to said present judge.

21 (b) The initial judge shall be appointed by the Governor for an initial term beginning on  
22 July 1, 1997, and expiring on December 31, 1998, and upon the election and qualification  
23 of a successor."

**SECTION 2.**

Said Act is further amended by striking Section 2-3 and inserting in its place a new section to read as follows:

**"SECTION 2-3.**

(a) The judge shall receive the same compensation as the present judge of the State Court of Richmond County payable in equal monthly installments from the funds of Augusta-Richmond County, Georgia. The judge is designated as a full-time judge and may not engage in the private practice of law.

(b) Any salary supplement heretofore enacted by Augusta-Richmond County, Georgia, shall also be applicable to the judge."

**SECTION 3.**

Said Act is further amended by striking Section 2-5 and inserting in its place a new section to read as follows:

**"SECTION 2-5.**

The chief judge shall receive additional compensation for performing the handling of the administration and operation of the State Court of Richmond County."

**SECTION 4.**

Said Act is further amended by striking Section 2-7 and inserting in its place a new section to read as follows:

**"SECTION 2-7.**

The judge shall take an oath to faithfully administer and discharge the duties of his or her office in accordance with the Constitution and laws of the State of Georgia, which oath may be administered by any officer authorized under the laws of this state to administer oaths."

**SECTION 5.**

Said Act is further amended by adding a new Part III to read as follows:

## "PART III

## SECTION 3-1.

There is created a third division of the State Court of Richmond County. The third division of the state court shall be governed by the provisions of general law contained in Chapter 7 of Title 15 of the O.C.G.A., relating to state courts, and by the additional provisions of this part.

## SECTION 3-2.

(a)(1) In addition to all other judges of the state court, there shall be one judge of the third division. The qualifications and election of the judge shall be as provided by general law.

(2) Except as otherwise provided in this section, said judge shall have and may exercise all powers, duties, jurisdictions, privileges, and immunities of the present judges of the State Court of Richmond County under the provision of this Act and the general law applicable to said present judges.

(b) The initial judge shall be elected by the qualified voters of Richmond County at the time of the November, 2006, state-wide general election for a four-year term beginning on January 1, 2007, and expiring on December 31, 2010, and until the election and qualification of a successor. The successor and each future successor shall be elected by the qualified voters of Richmond County at the time of the state-wide general election immediately preceding the expiration of the then current judge's term of office, shall take office on the first day of January immediately following that election, and shall serve for a term of office of four years and until the election and qualification of a successor. Such elections shall be conducted as provided by Chapter 7 of Title 15 and Title 21 of the O.C.G.A.

## SECTION 3-3.

(a) The judge shall receive the same compensation as the present judges of the State Court of Richmond County payable in equal monthly installments from the funds of Augusta-Richmond County, Georgia. The judge is designated as a full-time judge and may not engage in the private practice of law.

(b) Any salary supplement heretofore enacted by Augusta-Richmond County, Georgia, shall also be applicable to the judge.



1 **SECTION 7.**

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