

House Bill 1643

By: Representative Hudson of the 124<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide that the probate judge of Glascock County shall serve ex officio as chief  
2 magistrate of the Magistrate Court of Glascock County on and after January 1, 2009; to  
3 provide an effective date; to provide for a referendum; to repeal certain Acts; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Pursuant to subsection (g) of Code Section 15-10-20 of the O.C.G.A., the chief magistrate  
8 of the Magistrate Court of Glascock County shall not be separately elected for any term of  
9 office that begins on or after January 1, 2009, but on and after that date the probate judge of  
10 Glascock County shall serve ex officio as the chief magistrate of the Magistrate Court of  
11 Glascock County.

12 **SECTION 2.**

13 The following Acts are specifically repealed:

14 (1) An Act to create and establish a Small Claims Court in and for Glascock County,  
15 approved February 27, 1970 (Ga. L. 1970, p. 2198); and

16 (2) An Act to amend an Act creating the Small Claims Court of Glascock County,  
17 approved April 11, 1979 (Ga. L. 1979, p. 3860).

18 **SECTION 3.**

19 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
20 superintendent of Glascock County shall call and conduct an election as provided in this  
21 section for the purpose of submitting this Act to the electors of Glascock County for approval  
22 or rejection. The election superintendent shall conduct that election on the date of the  
23 November, 2006, general election and shall issue the call and conduct that election as  
24 provided by general law. The superintendent shall cause the date and purpose of the election

1 to be published once a week for two weeks immediately preceding the date thereof in the  
2 official organ of Glascock County. The ballot shall have written or printed thereon the  
3 words:

4 "( ) YES Shall the Act be approved which provides that the probate judge of  
5 Glascock County shall serve ex officio as chief magistrate of the Magistrate  
6 ( ) NO Court of Glascock County on and after January 1, 2009?"

7 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
8 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
9 such question are for approval of the Act, then Section 1 of this Act shall become of full  
10 force and effect immediately. If Section 1 of this Act is not so approved or if the election is  
11 not conducted as provided in this section, Section 1 of this Act shall not become effective  
12 and this Act shall be automatically repealed on the first day of January immediately  
13 following that election date. The expense of such election shall be borne by Glascock  
14 County. It shall be the election superintendent's duty to certify the result thereof to the  
15 Secretary of State.

16 **SECTION 4.**

17 Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon  
18 its approval by the Governor or upon its becoming law without such approval for purposes  
19 of conducting the referendum specified in Section 3.

20 **SECTION 5.**

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