

House Bill 1391

By: Representatives Willard of the 49<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Tumlin of the 38<sup>th</sup>, Maddox of the 127<sup>th</sup>, Jacobs of the 80<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to magistrate courts, so as to provide that magistrates  
3 shall have jurisdiction to assist superior court judges and state court judges by presiding over  
4 the trial of misdemeanor violations in state courts; to provide that a superior court judge or  
5 a state court judge shall preside over such trials if a demand for a jury trial is made; to repeal  
6 conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Article 1 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to  
10 general provisions relative to magistrate courts, is amended by adding a new Code section  
11 to read as follows:

12 "15-10-2.2.

13 (a) Subject to the provisions of subsection (b) of this Code section, in addition to any other  
14 jurisdiction vested in the magistrate courts, magistrates shall have the right and power to  
15 assist superior court judges and state court judges by presiding over arraignments and  
16 pretrial matters, conducting nonjury trials, receiving pleas of guilty, and imposing sentence  
17 upon defendants for any violation that is punishable for its violation as a misdemeanor or  
18 a misdemeanor of a high and aggravated nature.

19 (b) If a defendant has demanded a trial by jury, a magistrate shall have jurisdiction over  
20 the misdemeanor case up to the time of trial, at which time a superior court judge or a state  
21 court judge, as appropriate, shall preside."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.