

House Bill 1428

By: Representative Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the appointment of magistrates in Fulton County, approved
2 March 18, 1983 (Ga. L. 1983, p. 4373), as amended, particularly by an Act approved May
3 6, 2005 (Ga. L. 2005, p. 3844), so as to change the method of appointing the chief
4 magistrate; to provide for the appointment of magistrates; to provide for salaries; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act providing for the appointment of magistrates in Fulton County, approved March 18,
9 1983 (Ga. L. 1983, p. 4373), as amended, particularly by an Act approved May 6, 2005 (Ga.
10 L. 2005, p. 3844), is amended by revising Section 1 as follows:

11 "SECTION 1.

12 The number of magistrates for the Magistrate Court of Fulton County shall be determined
13 as provided in this Act."

14 **SECTION 2.**

15 Said Act is further amended by revising Section 2 as follows:

16 "SECTION 2.

17 (a) The chief judge of the Superior Court of Fulton county and the chief judge of the State
18 Court of Fulton County shall each appoint three judges from each respective court, one of
19 whom may be the chief judge of the respective courts, to serve on the Fulton County
20 Magistrate Selection Committee. Such committee shall select the chief magistrate and
21 magistrates of Fulton County.

22 (b) The chief magistrate serving on the effective date of this Act shall serve through
23 December 31, 2009. His or her successor shall be selected by the Fulton County

1 Magistrate Selection Committee established by subsection (a) of this section and shall take
2 office on January 1, 2010, to serve a term of four years. Thereafter, successors to such
3 office shall serve terms of four years. Vacancies in such office shall be filled by the Fulton
4 County Magistrate Selection Committee.

5 (c) The statutorily approved magistrates of Fulton County serving on the effective date of
6 this Act shall continue serving for the remainder of their terms. Their successors shall be
7 appointed as provided in this subsection. The chief magistrate shall nominate a person to
8 fill an actual or anticipated vacancy, and the Fulton County Magistrate Selection
9 Committee shall either confirm or reject such nomination by majority vote. The nominating
10 and selection process shall continue until a nominee is confirmed.

11 (d) All part-time magistrates shall be nominated and selected in the manner provided in
12 subsection (c) of this section.

13 (e) The chief magistrate of Fulton County shall receive compensation in an amount
14 \$6,000.00 greater than the salary received by the next highest paid magistrate as
15 compensation for his or her administrative duties."

16 **SECTION 3.**

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