08 LC 28 3977/AP

House Bill 1374 (AS PASSED HOUSE AND SENATE)

By: Representative Shaw of the 176th

A BILL TO BE ENTITLED AN ACT

- 1 To abolish the State Court of Clinch County; to repeal an Act to create and establish the State
- 2 Court of Clinch County (formerly the County Court of Clinch County), approved January 29,
- 3 1943 (Ga. L. 1943, p. 731), as amended, particularly by an Act approved February 22, 1943
- 4 (Ga. L. 1943, p. 746), by an Act approved March 2, 1945 (Ga. L. 1945, p. 829), by an Act
- 5 approved January 30, 1946 (Ga. L. 1946, p. 304), by an Act approved February 14, 1958
- 6 (Ga. L. 1958, p. 2080), by an Act approved March 30, 1971 (Ga. L. 1971, p. 2644), and by
- 7 an Act approved March 27, 1985 (Ga. L. 1985, p. 4183); to provide that no further elections
- 8 shall be held for judge or solicitor; to provide for the transfer of pending cases and matters;
- 9 to provide for related matters; to provide for preclearance of this Act; to provide effective
- 10 dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

- 13 An Act to create and establish the State Court of Clinch County (formerly the County Court
- of Clinch County), approved January 29, 1943 (Ga. L. 1943, p. 731), as amended,
- particularly by an Act approved February 22, 1943 (Ga. L. 1943, p. 746), by an Act approved
- 16 March 2, 1945 (Ga. L. 1945, p. 829), by an Act approved January 30, 1946 (Ga. L. 1946,
- 17 p. 304), by an Act approved February 14, 1958 (Ga. L. 1958, p. 2080), by an Act approved
- 18 March 30, 1971 (Ga. L. 1971, p. 2644), and by an Act approved March 27, 1985
- 19 (Ga. L. 1985, p. 4183) is hereby repealed.

SECTION 2.

- 21 There shall be no further elections for Judge of the State Court of Clinch County nor
- 22 Solicitor of the State Court of Clinch County.

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SECTION 3.

2 All cases and matters pending in the State Court of Clinch County on December 31, 2008,

- 3 shall be transferred to the Superior Court of Clinch County on January 1, 2009.
- 4 SECTION 4.
- 5 It shall be the duty of the governing authority of Clinch County through its legal counsel to
- 6 submit this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of
- 7 1965, as amended, 42 U.S.C. Section 1973c, within 45 days after its approval by the
- 8 Governor or its becoming law without such approval.
- 9 **SECTION 5.**
- 10 Section 1 of this Act shall become effective on January 1, 2009. The remaining parts of this
- 11 Act shall become effective upon its approval by the Governor or upon its becoming law
- 12 without such approval.
- SECTION 6.
- 14 All laws and parts of laws in conflict with this Act are repealed.