

House Bill 1456 (AS PASSED HOUSE AND SENATE)

By: Representatives Collins of the 27th, Mills of the 25th, Rogers of the 26th, and Benton of the 31st

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the State Court of Hall County, approved August 14, 1891 (Ga.
2 L. 1890-91, Vol. II, p. 939), as amended, particularly by an Act approved June 3, 2003 (Ga.
3 L. 2003, p. 4461), so as to provide for an additional judge for said court after June 30, 2008;
4 to provide for the initial appointment and subsequent election of such additional judge; to
5 provide for terms of office; to provide for the qualifications and compensation of such
6 additional judge; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

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

9 **SECTION 1.**

10 An Act creating the State Court of Hall County, approved August 14, 1891 (Ga. L. 1890-91,
11 Vol. II, p. 939), as amended, particularly by an Act approved June 3, 2003 (Ga. L. 2003, p.
12 4461), is amended by revising Sections 2 and 2A as follows:

13 **"SECTION 2.**

14 (a) There shall be a judge of said state court, who shall be elected by the qualified voters
15 of Hall County and who shall, after the first term of office hereinafter provided for, hold
16 an office for the term of four years, and all vacancies in the office of judge, except as
17 hereinafter provided, shall be filled by a special election called for that purpose, and any
18 person so elected shall serve for the remainder of the unexpired term.

19 (b) Effective July 1, 2008, there shall be three judges of the State Court of Hall County.
20 The third judge added effective July 1, 2008, shall be appointed by the Governor for an
21 initial term of office ending on December 31, 2010, and until his or her successor is elected
22 and qualified. The successor to said judge shall be elected by the qualified voters of Hall
23 County at an election to be held and conducted jointly with the general primary in 2010 and
24 quadrennially thereafter pursuant to Code Section 21-2-138 of the O.C.G.A. The judge

1 thus elected shall serve a four-year term and until such officer's successor is elected and
2 qualified.

3 (c) It shall be the duty of the Board of Commissioners of Hall County or other proper
4 officers of said county to make provisions annually in levying taxes for this purpose. The
5 qualifications of the judges of the State Court of Hall County shall be the same as those of
6 a judge of the superior courts, and the laws prohibiting a superior court judge from
7 engaging in the private practice of law shall be applicable to the judges of the State Court
8 of Hall County.

9 **SECTION 2A.**

10 (a) The three judges of the State Court of Hall County shall each receive an annual salary
11 equal to 90 percent of the gross salary as defined in subsection (b) of this section.

12 (b) For the purposes of this section, the term 'gross salary' shall mean the annual salary
13 received by a superior court judge from state funds only, effective January 1, 1983, plus
14 any increases in said annual salary for superior court judges from state funds only, on or
15 after January 1, 1983."

16 **SECTION 2.**

17 This Act shall become effective upon its approval by the Governor or upon its becoming law
18 without such approval.

19 **SECTION 3.**

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