

The House Committee on Judiciary offers the following substitute to HB 1057:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-10-105 of the Official Code of Georgia Annotated, relating to
2 magistrate court clerks, so as to provide that the General Assembly may at any time specify
3 by local law who shall serve as clerk of magistrate court; to provide for related matters; to
4 provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 15-10-105 of the Official Code of Georgia Annotated, relating to magistrate
8 court clerks, is amended by revising subsection (a) as follows:

9 "(a) The General Assembly may at any time provide by local law for the superior court
10 clerk or state court clerk to serve as clerk of magistrate court or for the selection of some
11 other person as the clerk of magistrate court and for the compensation of the clerk of
12 magistrate court. In the absence of local law, the selection and compensation of the clerk
13 of magistrate court shall be as provided by subsections (b), (c), and (d) of this Code
14 section."

15 **SECTION 2.**

16 Said Code section is further amended by adding a new subsection to read as follows:

17 "(h) Unless otherwise provided by local law, any time a vacancy occurs in the office of
18 clerk of magistrate court, the county governing authority shall give notice to the clerk of
19 superior court and the clerk of state court at least one week prior to appointing a successor."

20 **SECTION 3.**

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

23 **SECTION 4.**

24 All laws and parts of laws in conflict with this Act are repealed.