

House Bill 1053 (COMMITTEE SUBSTITUTE)

By: Representatives Lunsford of the 110th, Lindsey of the 54th, Sheldon of the 105th, Jacobs of the 80th, Morris of the 155th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-18-60 of the Official Code of Georgia Annotated, relating to
2 establishing solicitors-general of state courts and vacancies in office, so as to provide for an
3 acting solicitor-general during the pendency of a vacancy in office; to provide for related
4 matters; to provide for 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 15-18-60 of the Official Code of Georgia Annotated, relating to establishing
8 solicitors-general of state courts and vacancies in office, is amended by revising subsection
9 (b) as follows:

10 "(b)(1) In the event of a vacancy in the office of solicitor-general of the state court for
11 any reason except the expiration of the term of office, the Governor shall appoint a
12 qualified person who shall serve as provided in Article VI, Section VII, Paragraphs III
13 and IV of the Constitution.

14 (2)(A) During the period of time between the creation of the vacancy and the
15 appointment of a qualified replacement for the solicitor-general, the chief assistant
16 solicitor-general or, if there is no chief assistant solicitor-general, the assistant
17 solicitor-general senior in time of service shall perform the duties of the
18 solicitor-general and serve as the acting solicitor-general.

19 (B) When there is no assistant solicitor-general available to perform the duties of the
20 solicitor-general as provided in subparagraph (A) of this paragraph, the clerk of court
21 shall notify the judge of the probate court, and the judge of the probate court shall
22 appoint an acting solicitor-general.

23 (C) An acting solicitor-general performing the duties of a solicitor-general shall be
24 compensated as provided for acting solicitors-general in subsection (b) of Code Section
25 15-18-70."

26 **SECTION 2.**

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

29 **SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.