

The House Committee on Judiciary offers the following substitute to SB 7:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to
2 magistrate courts, so as to increase the jurisdictional limit in civil claims; to provide that the
3 General Assembly may at any time specify by local law who shall serve as clerk of
4 magistrate court; to provide for related matters; to provide for effective dates and
5 applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to magistrate
9 courts, is amended by revising paragraph (5) of Code Section 15-10-2, relating to jurisdiction
10 for magistrate courts, as follows:

11 "(5) The trial of civil claims including garnishment and attachment in which exclusive
12 jurisdiction is not vested in the superior court and the amount demanded or the value of
13 the property claimed does not exceed ~~\$15,000.00~~ \$25,000.00, provided that no
14 prejudgment attachment may be granted;"

15 **SECTION 2.**

16 Said chapter is further amended by revising subsection (a) of Code Section 15-10-105,
17 relating to magistrate court clerks, and by adding a new subsection to read as follows:

18 "(a) The General Assembly may at any time provide by local law for the superior court
19 clerk or state court clerk to serve as clerk of magistrate court or for the selection of some
20 other person as the clerk of magistrate court and for the compensation of the clerk of
21 magistrate court. In the absence of local law, the selection and compensation of the clerk
22 of magistrate court shall be as provided by subsections (b), (c), and (d) of this Code
23 section."

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

27 **SECTION 3.**

28 Section 1 of this Act shall become effective on July 1, 2010, and shall apply to civil actions
29 filed on or after July 1, 2010. The remaining sections of this Act shall become effective upon
30 its approval by the Governor or upon its becoming law without such approval.

31 **SECTION 4.**

32 All laws and parts of laws in conflict with this Act are repealed.