

House Bill 1458 (AS PASSED HOUSE AND SENATE)

By: Representative Austin of the 10<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating and establishing the State Court of Habersham County (formerly  
2 the City Court of Habersham County), approved February 13, 1941 (Ga. L. 1941, p. 651),  
3 as amended, particularly by an Act approved April 4, 1997 (Ga. L. 1997, p. 3937), so as to  
4 provide that the judge and solicitor of said court shall be full-time positions; to change the  
5 compensation of the judge and solicitor of said court; to provide that neither the judge nor  
6 the solicitor of said court shall practice law; to provide an effective date; to repeal conflicting  
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating and establishing the State Court of Habersham County (formerly the City  
11 Court of Habersham County), approved February 13, 1941 (Ga. L. 1941, p. 651), as  
12 amended, particularly by an Act approved April 4, 1997 (Ga. L. 1997, p. 3937), is amended  
13 by revising Section 10 as follows:

14 "SECTION 10.

15 There shall be a judge of the state court, who shall be elected at the time of the state-wide  
16 general election in the year immediately preceding the end of his or her term of office. The  
17 judge serving on the effective date of this Act shall continue to serve until the end of his or  
18 her term and until his or her successor is duly elected and qualified. On and after January  
19 1, 2013, the position of judge of the state court shall be a full-time position, and the judge  
20 shall not be permitted to engage in the practice of law. The judge shall be compensated  
21 according to the following schedule:

22 (1) A salary equal to 70 percent of a superior court judge, including the supplement paid  
23 such judge by Habersham County, for the calendar year beginning on January 1, 2011;

- 24 (2) A salary equal to 80 percent of a superior court judge, including the supplement paid  
25 such judge by Habersham County, for the calendar year beginning on January 1, 2012;  
26 and  
27 (3) A salary equal to 90 percent of a superior court judge, including the supplement paid  
28 such judge by Habersham County, on and after January 1, 2013."

29 **SECTION 2.**

30 Said Act is further amended by revising Section 14 as follows:

31 "SECTION 14.

32 There shall be a solicitor of the state court, who shall be elected at the time of the state-wide  
33 general election in the year immediately preceding the end of his or her term of office. The  
34 solicitor serving on the effective date of this Act shall continue to serve until the end of his  
35 or her term and until his or her successor is duly elected and qualified. On and after January  
36 1, 2013, the position of solicitor of the state court shall be a full-time position, and the  
37 solicitor shall not be permitted to engage in the practice of law. The solicitor shall be  
38 compensated according to the following schedule:

- 39 (1) A salary equal to 70 percent of the district attorney, including the supplement paid  
40 such district attorney by Habersham County, for the calendar year beginning on  
41 January 1, 2011;  
42 (2) A salary equal to 80 percent of the district attorney, including the supplement paid  
43 such district attorney by Habersham County, for the calendar year beginning on  
44 January 1, 2012; and  
45 (3) A salary equal to 90 percent of the district attorney, including the supplement paid  
46 such district attorney by Habersham County, on and after January 1, 2013."

47 **SECTION 3.**

48 This Act shall become effective on the first day of the month following the month in which  
49 it is approved by the Governor or becomes law without such approval.

50 **SECTION 4.**

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