

## House Bill 156

By: Representatives Harbin of the 118<sup>th</sup>, Anderson of the 117<sup>th</sup>, and Sims of the 119<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to magistrates, so as to provide that elected magistrate judges who are performing  
3 ordered military duty may continue in office and be eligible for reelection during such duty;  
4 to provide for qualifying for election by mail, messenger, or agent during such duty; to  
5 provide for related matters; to provide an effective date; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to  
10 magistrates, is amended by adding a new Code section as follows:

11 "15-10-20.1.

12 (a) Any elected chief magistrate or elected magistrate who is performing ordered military  
13 duty, as defined in Code Section 38-2-279, shall be eligible for reelection in any primary  
14 or general election which may be held to elect a successor for the next term of office, and  
15 may qualify in absentia as a candidate for reelection to such office. The performance of  
16 ordered military duty shall not create a vacancy in such office during the term for which  
17 such judge was elected.

18 (b) Where the giving of written notice of candidacy is required, any elected chief  
19 magistrate or elected magistrate who is performing ordered military duty may deliver such  
20 notice by mail, agent, or messenger to the proper elections official. Any other act required  
21 by law of a candidate for the office of chief magistrate or magistrate judge may, during the  
22 time such official is on ordered military duty, be performed by an agent designated in  
23 writing by the absent chief magistrate or magistrate judge."

24 **SECTION 2.**

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

27 **SECTION 3.**

28 All laws and parts of laws in conflict with this Act are repealed.