

House Bill 220

By: Representatives Willard of the 49th, Ralston of the 7th, Lindsey of the 54th, and Oliver of the 83rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to superior courts, so as to provide a uniform time for
3 issuing orders on motions; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to
7 general provisions relative to superior courts, is amended by revising Code Section 15-6-21,
8 relating to time for deciding motions, filing and notification, and noncompliance as ground
9 for impeachment, as follows:

10 "15-6-21.

11 (a) ~~In a county with less than 100,000 inhabitants, it shall be the duty of the judge of the~~
12 ~~superior, state, or city court, unless providentially hindered or unless counsel for the~~
13 ~~plaintiff and the defendant agree in writing to extend the time, to decide promptly, within~~
14 ~~30 days after the same have been argued before him or submitted to him without argument,~~
15 ~~all motions for new trials, injunctions, demurrers, and all other motions of any nature.~~

16 (b) ~~In all counties with more than 100,000 inhabitants, it~~ It shall be the duty of the judge
17 of the superior, state, or city court, unless providentially hindered or unless counsel for the
18 plaintiff and the defendant agree in writing to extend the time, to decide promptly, within
19 90 days after the same have been argued before ~~him~~ the judge or submitted to ~~him~~ the
20 judge without argument, all motions for new trials, injunctions, demurrers, and all other
21 motions of any nature.

22 (c) ~~(b)~~ When he or she has so decided, it shall be the duty of the judge to file his or her
23 decision with the clerk of the court in which the cases are pending and to notify the
24 attorney or attorneys of the losing party of his or her decision. Said notice shall not be
25 required if such notice has been waived pursuant to subsection (a) of Code Section 9-11-5.

26 ~~(d)~~(c) If any judge fails or refuses, unless providentially hindered or unless counsel for the
27 plaintiff and the defendant agree in writing to extend the time, to obey the provisions of
28 subsections (a) ~~through (c)~~ and (b) of this Code section, or if any judge repeatedly or
29 persistently fails or refuses to decide the various motions, demurrers, and injunctions
30 coming before ~~him~~ the judge in the manner provided by such subsections, such conduct
31 shall be grounds for impeachment and the penalty therefor shall be his or her removal from
32 office."

33 **SECTION 2.**

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