

The House Committee on Judiciary offers the following substitute to HB 220:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to
2 provide a uniform time for issuing orders on motions for new trials, injunctions, demurrers,
3 and all other motions of any nature; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by adding
7 a new Code section to Chapter 1, relating to general provisions, to read as follows:

8 "15-1-16.

9 (a) It shall be the duty of the judge of any court, other than the Court of Appeals or the
10 Supreme Court of Georgia, unless providentially hindered or unless a written extension of
11 time is agreed to by the parties, to decide promptly all motions for new trials, injunctions,
12 demurrers, and all other motions of any nature within 90 days after the same have been
13 argued before the judge or submitted to the judge without argument.

14 (b) Except when ruling from the bench, when the judge has issued his or her decision, it
15 shall be the duty of the judge to file his or her decision with the clerk of court in which the
16 action is pending and to notify the parties in writing of his or her decision. Such notice
17 shall not be required if notice has been waived pursuant to subsection (a) of Code Section
18 9-11-5."

19 **SECTION 2.**

20 Said title is further amended by revising Code Section 15-6-21, relating to time for deciding
21 motions, filing and notification, and noncompliance as ground for impeachment, as follows:

22 "15-6-21.

23 ~~(a) In a county with less than 100,000 inhabitants, it shall be the duty of the judge of the~~
24 ~~superior, state, or city court, unless providentially hindered or unless counsel for the~~

25 ~~plaintiff and the defendant agree in writing to extend the time, to decide promptly, within~~
26 ~~30 days after the same have been argued before him or submitted to him without argument,~~
27 ~~all motions for new trials, injunctions, demurrers, and all other motions of any nature.~~

28 ~~(b) In all counties with more than 100,000 inhabitants, it shall be the duty of the judge of~~
29 ~~the superior, state, or city court, unless providentially hindered or unless counsel for the~~
30 ~~plaintiff and the defendant agree in writing to extend the time, to decide promptly, within~~
31 ~~90 days after the same have been argued before him or submitted to him without argument,~~
32 ~~all motions for new trials, injunctions, demurrers, and all other motions of any nature.~~

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

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

43

SECTION 3.

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