

House Bill 688 (AS PASSED HOUSE AND SENATE)

By: Representatives Davis of the 109th, Yates of the 73rd, Baker of the 78th, Lunsford of the 110th, Mayo of the 91st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act entitled "An Act to make provisions for the Magistrate Court of Henry
2 County," approved March 10, 1988 (Ga. L. 1988, p. 3849), as amended, so as to provide for
3 the election and qualification of the chief magistrate of Henry County; to provide for the
4 appointment and qualification of magistrates other than the chief magistrate; to provide for
5 applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act entitled "An Act to make provisions for the Magistrate Court of Henry County,"
9 approved March 10, 1988 (Ga. L. 1988, p. 3849), as amended, is amended by revising
10 Section 2 as follows:

11 "SECTION 2.

12 (a) The chief magistrate shall be elected in the same manner as the judges of the State
13 Court of Henry County; provided, however, that the chief magistrate serving on the
14 effective date of this Act shall continue to serve the remainder of his or her term, and the
15 first election under this Act shall take place at the general election immediately preceding
16 the end of his or her term of office.

17 (b) To be eligible for election as chief magistrate, a person shall:

18 (1) Have been an active member of the State Bar of Georgia for at least seven years
19 immediately preceding taking office;

20 (2) Be at least 25 years of age;

21 (3) Be a citizen and taxpayer of Henry County; and

22 (4) Have been a resident of Henry County for at least three years immediately prior to
23 taking office.

24 (c) The number of magistrates shall be determined by the chief magistrate and appointed
25 with the approval of the chief judges of the Superior Court of Henry County and the Board
26 of Commissioners of Henry County.

27 (d) To be eligible for selection as a part-time magistrate, a person shall comply with the
28 qualifications provide in Code Section 15-10-22 of the O.C.G.A. and, in addition, shall be
29 an active member of the State Bar of Georgia.

30 (e) Magistrates appointed as provided in Code Section 15-10-20 of the O.C.G.A. shall
31 serve at the pleasure of the chief magistrate."

32 **SECTION 2.**

33 The provisions of this Act shall not apply to any person serving as chief magistrate or
34 magistrate of Henry County on the effective date of this Act.

35 **SECTION 3.**

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