

House Bill 600 (AS PASSED HOUSE AND SENATE)

By: Representative Parrish of the 156th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act establishing the State Court of Candler County, approved July 29, 1920
2 (Ga. L. 1920, p. 364), as amended, particularly by an Act approved March 15, 1988 (Ga. L.
3 1988, p. 3956), so as to change provisions relating to the compensation of the solicitor; to
4 provide for related matters; to provide an effective date; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act establishing the State Court of Candler County, approved July 29, 1920 (Ga. L. 1920,
9 p. 364), as amended, particularly by an Act approved March 15, 1988 (Ga. L. 1988, p. 3956),
10 is amended in subsection (a) of Section 5 by replacing the word "his" with the words "his or
11 her" and by striking the following:

12 "The said solicitor shall receive a salary of not less than \$10,000.00 per year nor more than
13 \$12,000.00 per year, the exact amount to be determined by the governing authority of
14 Candler County, which shall be paid in the same manner as the judge's salary is paid."

15 and inserting in place thereof the following:

16 "The solicitor shall receive a salary equal to 90 percent of the salary of the judge of the
17 court to be paid in the same manner as the judge's salary is paid."

18 so that when so amended said subsection shall read as follows:

19 "(a) There shall be a solicitor of the State Court of Candler County who shall be elected
20 or appointed at the same time, in the same manner, and for the same term of four years as
21 the judge of said court. The solicitor shall be commissioned by the Governor and, before
22 entering office, shall take the same oath which district attorneys of superior courts must
23 take. An assistant district attorney of the Middle Judicial Circuit may serve as solicitor
24 should the solicitor be unavoidably absent or should the solicitor be temporarily
25 incapacitated, as the district attorney of the Middle Judicial Circuit may provide by
26 agreement through the judge of the State Court of Candler County. The solicitor of the

27 state court shall have been a resident of Candler County for one year next preceding the
28 beginning of his or her term of office or his or her appointment and shall, as of such date,
29 be at least 25 years of age and shall have been admitted to practice law for one year. The
30 solicitor of the State Court of Candler County shall be a part-time solicitor and may engage
31 in the private practice of law but may not practice in his or her own court or appear in any
32 matter as to which the solicitor has exercised jurisdiction. The duties of the solicitor shall
33 be to prosecute all offenses cognizable before the State Court of Candler County and shall
34 represent the state in all cases appealed or removed to higher courts. The solicitor shall
35 receive a salary equal to 90 percent of the salary of the judge of the court to be paid in the
36 same manner as the judge's salary is paid. The solicitor shall be authorized to employ a
37 secretary, part time, who shall possess such qualifications as the solicitor may determine
38 and to serve at the pleasure of the solicitor; and the secretary's salary shall be \$3,600.00 per
39 year and payable in equal monthly installments out of the funds of Candler County; and the
40 governing authority of Candler County shall annually make provisions by levying taxes for
41 this purpose."

42 **SECTION 2.**

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

45 **SECTION 3.**

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