12 LC 25 6046S

The House Committee on Judiciary offers the following substitute to HB 534:

A BILL TO BE ENTITLED AN ACT

- 1 To amend Code Section 15-9-4 of the Official Code of Georgia Annotated, relating to
- 2 additional eligibility requirements in certain counties, so as to modify the population
- 3 eligibility requirements; to amend Code Section 15-9-36 of the Official Code of Georgia
- 4 Annotated, relating to judges of probate courts as clerks thereof, chief clerk, authority to
- 5 appoint other clerks, and powers of appointed clerks, so as to modify population provisions
- 6 relating to the application of the Code section; to amend Code Section 15-9-120 of the
- 7 Official Code of Georgia Annotated, relating to definitions for probate courts, so as to
- 8 modify population provisions relating to the definition of probate court; to provide for related
- 9 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10

15

16

17

18

12 Code Section 15-9-4 of the Official Code of Georgia Annotated, relating to additional 13 eligibility requirements in certain counties, is amended by revising subsection (b) as follows:

14 "(b) Except as otherwise provided by subsection (c) of this Code section, in any county of

this state having a population of more than 96,000 persons according to the United

States decennial census of 1990 2010 or any future such census and in which the probate

court of such county meets the definition of a probate court as provided by Article 6 of this

- chapter, no person shall be judge of the probate court unless at the time of election, in
- addition to the qualifications required by law, he or she has attained the age of 30 years and
- 20 has been admitted to practice law for seven years preceding election."
- SECTION 2.
- 22 Code Section 15-9-36 of the Official Code of Georgia Annotated, relating to judges of
- 23 probate courts as clerks thereof, chief clerk, authority to appoint other clerks, and powers of
- 24 appointed clerks, is amended by revising paragraph (3) of subsection (c) as follows:

12	LC 25 60469
12	LC 25 604

25	"(3) This subsection shall apply to each county of this state having a population of 96,000
26	90,000 or more persons according to the United States decennial census of 1990 2010 or
27	any future such census."
28	SECTION 3.
29	Code Section 15-9-120 of the Official Code of Georgia Annotated, relating to definitions for
30	probate courts, is amended by revising paragraph (2) as follows:
31	"(2) 'Probate court' means a probate court of a county having a population of more than
32	96,000 90,000 persons according to the United States decennial census of 1990 2010 or
33	any future such census in which the judge thereof has been admitted to the practice of law
34	for at least seven years."
35	SECTION 4.
36	This Act shall become effective on July 1, 2012.
37	SECTION 5.

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

38