

House Bill 534 (COMMITTEE SUBSTITUTE)

By: Representatives Fullerton of the 151st, Willard of the 49th, Oliver of the 83rd, Powell of the 171st, Dukes of the 150th, and others

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.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

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
15 this state having a population of more than ~~96,000~~ 90,000 persons according to the United
16 States decennial census of ~~1990~~ 2010 or any future such census and in which the probate
17 court of such county meets the definition of a probate court as provided by Article 6 of this
18 chapter, no person shall be judge of the probate court unless at the time of election, in
19 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."

21 **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:

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.**

38 All laws and parts of laws in conflict with this Act are repealed.