

House Bill 329

By: Representatives Carter of the 175<sup>th</sup>, Black of the 174<sup>th</sup>, Sharper of the 177<sup>th</sup>, and Shaw of the 176<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating a Small Claims Court for Lowndes County, approved April 18,  
2 1967 (Ga. L. 1967, p. 3197), as amended by an Act approved February 18, 1977 (Ga. L.  
3 1977, p. 2736), so as to provide that the judge of the Small Claims Court for Lowndes  
4 County shall be the magistrate judge and shall be elected on a nonpartisan basis; to provided  
5 for related matters; to provide for submission of this Act under Section 5 of the federal  
6 Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating a Small Claims Court for Lowndes County, approved April 18, 1967 (Ga.  
10 L. 1967, p. 3197), as amended by an Act approved February 18, 1977 (Ga. L. 1977, p. 2736),  
11 is amended by revising Section 2 as follows:

12 "SECTION 2.

13 The magistrate judge of the Small Claims Court for Lowndes County shall continue to  
14 serve as such until the expiration of his or her term on December 31, 2016, and until the  
15 election and qualification of a successor. Beginning at the general election of 2016, a  
16 successor magistrate judge shall be elected by the voters of Lowndes County. At such  
17 election and at every election thereafter, the magistrate judge shall be elected on a  
18 nonpartisan basis. Persons elected to such office shall take office the first day of January  
19 immediately following such election and the magistrate judge shall serve for a term of four  
20 years and until his or her successor is duly appointed and qualified. Any person qualifying  
21 to run as magistrate judge of Lowndes County shall be a resident of Lowndes County, and  
22 beginning in the election of 2016, shall be an attorney licensed to practice law in the State  
23 of Georgia."

24 **SECTION 2.**

25 The governing authority of Lowndes County shall through its legal counsel cause this Act  
26 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,  
27 as amended; and such submission shall be made to the United States Department of Justice  
28 or filed with the appropriate court no later than 60 days after the date on which this Act is  
29 approved by the Governor or otherwise becomes law without such approval.

30 **SECTION 3.**

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