

Senate Bill 341

By: Senators Stone of the 23rd, Bethel of the 54th, Ligon, Jr. of the 3rd and Crosby of the 13th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 15-9-36 of the Official Code of Georgia Annotated, relating to
2 judges of probate courts as clerks thereof, chief clerk, authority to appoint other clerks, and
3 powers of appointed clerks, so as to repeal a population provision relative to a clerk's
4 authority to act on uncontested matters; to provide for a clerk's authority to act on
5 uncontested matters; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Code Section 15-9-36 of the Official Code of Georgia Annotated, relating to judges of
10 probate courts as clerks thereof, chief clerk, authority to appoint other clerks, and powers of
11 appointed clerks, is amended by repealing subsection (c) and enacting a new subsection (c)
12 to read as follows:

13 "(c)(1) In addition to other powers granted to appointed clerks, the chief clerk of the
14 probate judge or, if there is no chief clerk, a clerk designated by the judge may exercise
15 all the jurisdiction of the judge of the probate court concerning uncontested matters in the
16 probate court. Such clerk may exercise such power regardless of whether the judge of
17 the probate court is present.

18 (2) The powers granted by paragraph (1) of this subsection shall be exercised only by a
19 chief clerk or designated clerk who has been a member of the State Bar of Georgia for
20 at least three years or has been a clerk in the probate court for at least five years."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.