

**ADOPTED**

Representatives Powell of the 171<sup>st</sup> and Ramsey of the 72<sup>nd</sup> offer the following amendment:

1 *Amend the Senate substitute to HB 279 (LC 29 6628S) by inserting after "circumstances;"*  
 2 *on line 4 the following:*

3 to increase the number of Court of Appeals Judges; to change provisions relating to a  
 4 quorum; to provide for the Judges' appointment and election;

5 *By inserting between lines 38 and 39 the following:*

6 Said title is further amended by revising subsections (a) and (e) of Code Section 15-3-1,  
 7 relating to composition of the Court of Appeals and quorum, as follows:

8 "(a) **Composition.** The Court of Appeals shall consist of ~~12~~ 15 Judges who shall elect one  
 9 of their number as Chief Judge, in such manner and for such time as may be prescribed by  
 10 rule or order of the court."

11 "(e) **Quorum.** When all the members of the court are sitting together as one court, ~~seven~~  
 12 eight Judges shall be necessary to constitute a quorum. In all cases decided by such court  
 13 as a whole by less than ~~12~~ 15 Judges, the concurrence of at least ~~seven~~ eight shall be  
 14 essential to the rendition of a judgment."

15 **SECTION 1-2A.**

16 Said title is further amended by revising Code Section 15-3-4, relating to election and term  
 17 of office of Judges of Court of Appeals, as follows:

18 "15-3-4.

19 (a) The Judges of the Court of Appeals shall be elected at the general primary in each  
 20 even-numbered year in the manner in which Justices of the Supreme Court are elected.

21 The election of the Judges shall be as follows:

22 (1) Successors to the Judges serving in judgeships which existed prior to 1999 shall be  
 23 elected as follows:

24 (A) Successors to any Judges whose terms expired at the end of 1998 shall be elected  
 25 at the general election in 2004 and each sixth year thereafter;

26 (B) Successors to any Judges whose terms expire at the end of 2000 shall be elected  
 27 at the general election in 2000 and each sixth year thereafter;

28 (C) Successors to any Judges whose terms expire at the end of 2002 shall be elected  
 29 at the general election in 2002 and each sixth year thereafter; and

30 (D) Successors to any Judges whose terms expire at the end of 2004 shall be elected  
 31 at the general election in 2004 and each sixth year thereafter; and

32 (2) Successors to the two Judges serving in the judgeships created in 1999 shall be  
33 elected at the 2000 general election and each sixth year thereafter.

34 The terms of the Judges shall begin on January 1 following their election and, except as  
35 provided above, shall continue for six years and until their successors are qualified. They  
36 shall be commissioned accordingly by the Governor.

37 (b) The additional judgeships created in 2015 shall be appointed by the Governor for a  
38 term beginning January 1, 2016, and continuing through December 31, 2018, and until their  
39 successors are elected and qualified. Their successors shall be elected in the manner  
40 provided by law for the election of Judges of the Court of Appeals at the nonpartisan  
41 judicial election in 2018, for a term of six years beginning on January 1, 2019, and until  
42 their successors are elected and qualified. Future successors shall be elected at the  
43 nonpartisan judicial election each sixth year after such election for terms of six years and  
44 until their successors are elected and qualified. They shall take office on the first day of  
45 January following the date of the election."

46 **SECTION 1-2B.**

47 *By replacing lines 392 and 393 with the following:*

48 (2) If funds are so appropriated, then Part I of this Act shall become effective on July 1,  
49 2015, for purposes of making the initial appointments of the Court of Appeals Judges  
50 created by Part I of this Act, and for all other purposes, Part I of this Act shall become  
51 effective on January 1, 2016.