

Senate Bill 111

By: Senator Kirk of the 13th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To provide that the judge of the Probate Court of Dooly County shall also serve as the chief
2 magistrate of the Magistrate Court of Dooly County on or after January 1, 2021, or upon
3 vacancy of the office of chief magistrate, whichever occurs first; to provide for the
4 continuation in office and expiration of term of the current chief magistrate; to provide for
5 the compensation of such judge for service as chief magistrate; to provide for nonpartisan
6 elections to the combined position of probate judge and chief magistrate; to repeal conflicting
7 laws; and for other purposes.

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

9 **SECTION 1.**

10 Pursuant to subsection (g) of Code Section 15-10-20 of the Official Code of Georgia
11 Annotated, the chief magistrate of the Magistrate Court of Dooly County shall not be
12 separately elected or appointed for any term of office that begins on or after January 1, 2021,
13 but on and after that date the judge of the Probate Court of Dooly County shall serve as the
14 chief magistrate of the Magistrate Court of Dooly County. There shall be no election or
15 appointment in 2020 or thereafter for the office of chief magistrate judge of the Magistrate
16 Court of Dooly County. The term of office of the judge serving as chief magistrate shall be
17 concurrent with such judge's term of office as the judge of the probate court.

18 **SECTION 2.**

19 Effective upon the date the judge of the probate court assumes the duties of the chief
20 magistrate judge, the judge of the Probate Court of Dooly County shall receive a supplement
21 for service as chief magistrate judge in an amount to be fixed by the governing authority of
22 Dooly County in addition to any compensation received for service as judge of the probate
23 court. Such supplement shall not be less than the minimum amount provided by any general
24 law for additional service by a judge of the probate court as chief magistrate.

25 **SECTION 3.**

26 The chief magistrate of the Magistrate Court of Dooly County who is serving as such on the
27 effective date of this Act shall continue to serve as chief magistrate for the remainder of his
28 or her current term of office. During such time period, the current chief magistrate shall
29 continue to receive the same salary he or she is receiving for performing such duties as fixed
30 by the governing authority of Dooly County. However, if the office of chief magistrate
31 becomes vacant prior to expiration of the current term, the probate judge shall immediately
32 begin to serve as chief magistrate.

33 **SECTION 4.**

34 Associate magistrates, if any, shall be selected by the probate judge and shall be appointed
35 to take office on January 1, 2021. Such magistrates shall serve four-year terms and until their
36 respective successors are appointed and qualified.

37 **SECTION 5.**

38 All elections for the office of probate judge of Dooly County, who also serves as chief
39 magistrate of the Magistrate Court of Dooly County, conducted after the effective date of this
40 Act shall be nonpartisan elections as provided for in Code Section 21-2-139 of the O.C.G.A.
41 Such nonpartisan elections shall be conducted at the general nonpartisan election
42 immediately preceding the expiration of the term of such office and conducted as provided
43 in Chapter 2 of Title 21, of the O.C.G.A., the "Georgia Election Code."

44 **SECTION 6.**

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