

House Bill 967 (AS PASSED HOUSE AND SENATE)

By: Representatives Smith of the 133<sup>rd</sup>, Smith of the 134<sup>th</sup>, Smyre of the 135<sup>th</sup>, Hugley of the 136<sup>th</sup>, and Buckner of the 137<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act establishing the Municipal Court of Columbus, Georgia, approved  
2 August 12, 1915 (Ga. L. 1915, p. 63), as amended, particularly by an Act approved  
3 March 29, 1983 (Ga. L. 1983, p. 4443) and an Act approved June 2, 2010 (Ga. L. 2010,  
4 p. 3956), so as to provide that the sheriff of Muscogee County shall be the ex officio marshal  
5 of said court; to consolidate said marshal's office into the said sheriff's department; to provide  
6 for related matters; to provide for effective dates; to repeal conflicting laws; and for other  
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act establishing the Municipal Court of Columbus, Georgia, approved August 12, 1915  
11 (Ga. L. 1915, p. 63), as amended, particularly by an Act approved March 29, 1983  
12 (Ga. L. 1983, p. 4443) and an Act approved June 2, 2010 (Ga. L. 2010, p. 3956), is amended  
13 by revising Section 4 as follows:

14 "SECTION 4.

15 (a) There shall be a judge, clerk, and marshal of said court and also a deputy clerk or clerks  
16 and a deputy marshal or marshals of said court; provided, further, that the present judge,  
17 clerk, and marshal of said court holding office on the effective date of this Act shall  
18 complete the terms to which said officers were originally elected and with regard to said  
19 judge and clerk until their respective successors are elected and qualified. The regular term  
20 of office of the judge and clerk of said court shall each be four years, and for such regular  
21 term of office each shall be elected by the qualified voters of Muscogee County  
22 quadrennially at the regular state election for the election of state house officers and  
23 members of the General Assembly.

24 (b) As of January 1, 2021, the sheriff of Muscogee County shall be the ex officio marshal  
25 of said court, and all future sheriffs of Muscogee County shall be the ex officio marshal of  
26 said court during his or her terms as sheriff. The sheriff shall utilize the facilities,  
27 equipment, vehicles, records, deputy marshals, and other personnel of the office of the  
28 marshal of said court in such manner as he or she shall deem necessary to ensure that all  
29 duties of the marshal of said court are provided for and that the marshal's office is  
30 consolidated into the sheriff's department."

31 **SECTION 2.**

32 Said Act is further amended by revising Section 9 as follows:

33 "SECTION 9.

34 When a vacancy occurs in the office of the clerk of said court, it shall be the duty of the  
35 judge of the probate court of Muscogee County to fill such vacancy by appointment for the  
36 unexpired term of said clerk."

37 **SECTION 3.**

38 Said Act is further amended by repealing and reserving Section 12 and Section 14.

39 **SECTION 4.**

40 Said Act is further amended by revising Section 16 as follows:

41 "SECTION 16.

42 All the requirements, duties, powers, and authority imposed by law and conferred upon the  
43 clerk and deputy clerk or clerks of the Superior Court of Muscogee County and upon the  
44 sheriff and deputy sheriffs of Muscogee County shall be obligations upon and shall be  
45 vested in the clerk, deputy clerks, marshal, or deputy marshals of this court, respectively,  
46 so far as said duties may be applicable to said court and except where inconsistent with or  
47 limited by the provisions of this Act defining the jurisdiction of this court. However, the  
48 amount of the bond of the clerk shall be \$30,000.00, and the annual premiums on such  
49 bonds, which are to be approved by the city council of Columbus, Georgia, are to be paid  
50 out of the treasury of Columbus, Georgia."

51 **SECTION 5.**

52 Sections 1, 5, and 6 of this Act shall become effective upon approval by the Governor or  
53 upon becoming law without such approval. The remaining provisions of this Act shall  
54 become effective on January 1, 2021.

55 **SECTION 6.**

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