

Senate Bill 9

By: Senators Anderson of the 24th, Burns of the 23rd, Strickland of the 17th, Miller of the 49th, Mullis of the 53rd and others

A BILL TO BE ENTITLED
AN ACT

1 To create a new judicial circuit for the State of Georgia, to be known as the Columbia
2 Judicial Circuit and to be composed of Columbia County; to provide for the judges and the
3 district attorney of said new circuit and their terms, selection, and compensation; to transfer
4 certain judges from the Augusta Judicial Circuit to the Columbia Judicial Circuit; to provide
5 for the transfer of certain funds from the Augusta Judicial Circuit to the Columbia Judicial
6 Circuit; to provide for and allocate circuit-wide costs and expenditures; to conform the
7 county salary supplements for the judges of the Augusta Judicial Circuit; to amend Article 1
8 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general
9 provisions regarding the superior courts, so as to revise the composition and terms of court
10 of the Augusta Judicial Circuit; to provide for the composition, terms of court, and number
11 of judges of the Columbia Judicial Circuit; to provide for related matters; to repeal
12 conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

16 Effective July 1, 2021, there is created a new judicial circuit of the superior courts of this
17 state to be known as the Columbia Judicial Circuit, which circuit shall be composed of
18 Columbia County. There shall be a district attorney and three judges of the Columbia
19 Judicial Circuit. The offices of the judges and district attorney of the Columbia Judicial
20 Circuit shall be subject to the following provisions:

21 (1) The district attorney of the Columbia Judicial Circuit shall be appointed by the
22 Governor for a term beginning July 1, 2021, and expiring December 31, 2022. A
23 successor to the district attorney so appointed shall be elected by the voters of the
24 Columbia Judicial Circuit at the 2022 general election, and at the general election
25 quadrennially thereafter, for a term of four years. A candidate for appointment or
26 election to this office in 2021 or thereafter shall be a resident of Columbia County;

27 (2) The Honorable James G. Blanchard, Jr., the Honorable Sheryl B. Jolly, and the
28 Honorable J. Wade Padgett, currently judges of the Augusta Judicial Circuit and residents
29 of Columbia County, shall become judges of the Columbia Judicial Circuit. Each judge,
30 respectively, shall serve out their current term of office for which he or she was selected,
31 and his or her successor shall be elected by the voters of the Columbia Judicial Circuit
32 at the general election next preceding the expiration of their term of office, and at the
33 general election quadrennially thereafter, for a term of four years. A candidate for
34 election to these offices shall be a resident of Columbia County; and

35 (3) The active judge who is senior in time of service shall serve as chief judge of the
36 Columbia Judicial Circuit.

37 **SECTION 1-2.**

38 All proceedings and litigations, civil, equitable, and criminal, pending in the Superior Court
39 of Columbia County at such time as it was a part of the Augusta Judicial Circuit, including
40 all complaints, pleadings, petitions, indictments, special presentments, summonses,
41 processes, motions, writs, and mesne and final proceedings, together with all books and
42 records of any kind or character belonging to or issued, returnable, filed, pending, or
43 commenced in such county, shall relate to, become a part of, and be transferred to the
44 Columbia Judicial Circuit and its jurisdiction.

45 **SECTION 1-3.**

46 In addition to the salary and expenses paid from state funds, and notwithstanding any other
47 provision of law, each judge of the superior court of the Columbia Judicial Circuit shall
48 receive from the funds of Columbia County an additional supplement to such salary and
49 expenses in an amount equal to the aggregate total of additional supplements to the salary
50 and expenses of the judges of the Augusta Judicial Circuit then in effect and paid by the
51 counties of the Augusta Judicial Circuit on January 1, 2021.

52 **SECTION 1-4.**

53 In addition to the salary and expenses paid from state funds, the district attorney of the
54 Columbia Judicial Circuit shall receive from the funds of Columbia County an additional
55 supplement to such salary and expenses equal to the aggregate total of additional
56 supplements to the salary and expenses of the district attorney of the Augusta Judicial Circuit
57 then in effect and paid by the counties of the Augusta Judicial Circuit on January 1, 2021.

58 **SECTION 1-5.**

59 The governing authority of Columbia County shall be authorized, but not required, to
60 authorize the employment of assistant district attorneys, deputy district attorneys, or other

61 attorneys, investigators, paraprofessionals, clerical assistants, victim and witness assistance
62 personnel, and other employees or independent contractors, as authorized under Code
63 Section 15-18-20 of the Official Code of Georgia Annotated.

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SECTION 1-6.

65 (a) Effective with the creation of the Columbia Judicial Circuit, the Augusta Judicial Circuit
66 shall transfer to the Columbia Judicial Circuit the sum equal to 25 percent of the amount it
67 holds as of January 1, 2021, for costs collected pursuant to Code Section 15-23-7 of the
68 Official Code of Georgia Annotated for court connected or court referred alternative dispute
69 resolution programs.

70 (b) Effective with the creation of the Columbia Judicial Circuit, the district attorney of the
71 Augusta Judicial Circuit shall pay over to the district attorney of the Columbia Judicial
72 Circuit the sum equal to the amount he or she holds as of January 1, 2021, that was secured
73 pursuant to condemnation or forfeiture actions from criminal cases that originated from a
74 violation of law in Columbia County.

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PART II

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SECTION 2-1.

77 Effective with the creation of the Columbia Judicial Circuit, the superior court of the Augusta
78 Judicial Circuit shall be composed of the five remaining judges and their respective
79 successors.

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SECTION 2-2.

81 Except as provided for under Sections 2-3 and 2-4 of this Act:

82 (1) Ninety percent of the circuit-wide costs and expenditures of the Augusta Judicial
83 Circuit shall be paid by Richmond County; and

84 (2) Ten percent of the circuit-wide costs and expenditures of the Augusta Judicial Circuit
85 shall be paid by Burke County.

86 **SECTION 2-3.**

87 (a) In addition to the salary and expenses paid from state funds, and notwithstanding any
88 other provision of law, each judge of the superior court of the Augusta Judicial Circuit shall
89 receive from the funds of Richmond County and Burke County additional supplements in
90 proportions provided for under subsection (b) of this section.

91 (b)(1) Richmond County shall pay an additional supplement equal to:

92 (A) The amount of the additional supplement to the salary and expenses of the judges
93 of the Augusta Judicial Circuit then in effect and paid by Richmond County on
94 January 1, 2021; and

95 (B) Eighty percent of the additional supplement to the salary and expenses of the
96 judges of the Augusta Judicial Circuit then in effect and paid by Columbia County on
97 January 1, 2021.

98 (2) Burke County shall pay an additional supplement equal to:

99 (A) The amount of the additional supplement to the salary and expenses of the judges
100 of the Augusta Judicial Circuit then in effect and paid by Burke County on January 1,
101 2021; and

102 (B) Twenty percent of the additional supplement to the salary and expenses of the
103 judges of the Augusta Judicial Circuit then in effect and paid by Columbia County on
104 January 1, 2021.

105 **SECTION 2-4.**

106 (a) In addition to the salary and expenses paid from state funds, the district attorney of the
107 Augusta Judicial Circuit shall receive from the funds of Richmond County and Burke County
108 an additional supplement in proportions provided for under subsection (b) of this section.

109 (b)(1) Richmond County shall pay an additional supplement equal to:

110 (A) The amount of the additional supplement to the salary and expenses of the district
111 attorney of the Augusta Judicial Circuit then in effect and paid by Richmond County
112 on January 1, 2021; and

113 (B) Eighty percent of the additional supplement to the salary and expenses of the
114 district attorney of the Augusta Judicial Circuit then in effect and paid by Columbia
115 County on January 1, 2021.

116 (2) Burke County shall pay an additional supplement equal to:

117 (A) The amount of the additional supplement to the salary and expenses of the district
118 attorney of the Augusta Judicial Circuit then in effect and paid by Burke County on
119 January 1, 2021; and

120 (B) Twenty percent of the additional supplement to the salary and expenses of the
121 district attorney of the Augusta Judicial Circuit then in effect and paid by Columbia
122 County on January 1, 2021.

123

PART III

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SECTION 3-1.

125 Senior judges of the Augusta Judicial Circuit who, as of June 30, 2021, receive a salary equal
126 to two-thirds of the amounts which he or she had been paid as judge by Columbia County,
127 Richmond County, and Burke County at the time of his or her resignation as judge of the
128 superior court and his or her appointment as senior judge as provided for in Code Section
129 47-8-62 of the Official Code of Georgia Annotated shall continue receiving such salary from
130 such counties.

131 **SECTION 3-2.**

132 Judges of the Augusta Judicial Circuit who, after June 30, 2021, become senior judges shall
133 receive a salary equal to two-thirds of the amounts which he or she had been paid as judge
134 by Richmond County and Burke County at the time of his or her resignation as judge of the
135 superior court and his or her appointment as senior judge as provided for in Code Section
136 47-8-62 of the Official Code of Georgia Annotated.

137 **SECTION 3-3.**

138 Judges of the Columbia Judicial Circuit who, on or after July 1, 2021, become senior judges
139 shall receive a salary equal to two-thirds of the amounts which he or she had been paid as
140 judge by Columbia County at the time of his or her resignation as judge of the superior court
141 and his or her appointment as senior judge as provided for in Code Section 47-8-62 of the
142 Official Code of Georgia Annotated.

143 **PART IV**

144 **SECTION 4-1.**

145 Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to
146 general provisions regarding superior courts, is amended by revising paragraph (5) of, and
147 adding a new paragraph to, Code Section 15-6-1, relating to composition of judicial circuits,
148 as follows:

149 "(5) Augusta Judicial Circuit, composed of the Counties of Burke, ~~Columbia,~~ and
150 Richmond;"

151 "(11.1) Columbia Judicial Circuit, composed of the County of Columbia;"

152 **SECTION 4-2.**

153 Said article is further amended by revising paragraph (5) of, and adding a new paragraph to,
154 Code Section 15-6-2, relating to number of superior court judges, to read as follows:

- 155 "(5) Augusta Circuit 8 5"
- 156 "(11.1) Columbia Circuit 3"

157 **SECTION 4-3.**

158 Said article is further amended by revising paragraph (5) of, and adding a new paragraph to,
159 Code Section 15-6-3, relating to terms of court, as follows:

- 160 "(5) **Augusta Circuit:**
- 161 (A) Burke County — Fourth Monday in April and October.
- 162 (B) ~~Columbia County — Fourth Monday in March and September.~~
- 163 ~~(C)~~ Richmond County — Third Monday in January, March, May, July, September, and
- 164 November."
- 165 "(11.1) **Columbia Circuit:**
- 166 Columbia County — Fourth Monday in March and September."

167 **PART V**
168 **SECTION 5-1.**

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