Senate Bill 9EX1

By: Senators Ray of the 48th and Balfour of the 9th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

To amend an Act creating the Recorder´s Court of Gwinnett County, approved March 27, 1972 (Ga. L. 1972, p. 3125), as amended, particularly by an Act approved March 5, 1987 (Ga. L. 1987, p. 3765), so as to provide for the appointment of an additional judge of the recorder´s court; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Recorder´s Court of Gwinnett County, approved March 27, 1972 (Ga. L. 1972, p. 3125), as amended, particularly by an Act approved March 5, 1987 (Ga. L. 1987, p. 3765), is amended by adding immediately following Section 5 a new section to be designated Section 5A to read as follows:

"SECTION 5A.

Third Judge; Selection; Term Vacancies.

(a) There shall be a third judge of the recorder´s court appointed by a majority vote of the judges of the Gwinnett State Court. Said third judge shall be appointed for an initial term ending December 31, 2005. Said third judge appointed shall serve for a term of four years and until a successor is appointed and qualified. All vacancies occurring in said office shall be filled in like manner, for the remainder of the unexpired term.

(b) The third judge of the recorder´s court shall have and may exercise all powers, duties, dignities, jurisdiction, privileges, and immunities of the present judges of the Recorder's Court of Gwinnett County.

(c) The compensation, salary, and contingent expense allowance of the third judge of the recorder´s court shall be the same as that of the present judges of the Recorder's Court of Gwinnett County.

(d) Upon and after qualifications of the third judge of the recorder´s court, the present judges of said court shall be authorized to adopt, promulgate, amend, and enforce such rules of procedure in consonance with the Constitution and laws of the State of Georgia as they deem suitable and proper for the effective transaction of the business of the court; and, in transacting the business of the court and in performing their duties and responsibilities, they shall divide and allocate the work and duties to be performed by each. In the event of a disagreement between or among said judges affecting the duties and responsibilities of the judges of the Recorder's Court of Gwinnett County, the decision of the senior judge in term of current continuous, uninterrupted service shall be controlling.″

SECTION 2.

This Act shall become effective on January 1, 2002.

SECTION 3.

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