Senate Bill 497

By: Senators Reed of the 35th, Tanksley of the 32nd, Zamarripa of the 36th, Price of the 56th, Thomas of the 10th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

To repeal an Act re-creating a system of state courts of limited jurisdiction for each city of this state having a population of 300,000 or more according to the United States decennial census of 1990 or any future such census, approved April 4, 1996 (Ga. L. 1996, p. 627), as amended; to abolish such courts created pursuant to such Act; to provide for the transfer of cases and matters pending in such courts on the effective date of this Act; to provide for the transfer of records, books, minutes, files, and documents; to provide for the transfer of certain positions in such courts on the effective date of this Act; 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 re-creating a system of state courts of limited jurisdiction for each city of this state having a population of 300,000 or more according to the United States decennial census of 1990 or any future such census, approved April 4, 1996 (Ga. L. 1996, p. 627), as amended, is repealed in its entirety and such courts created pursuant to such Act are abolished.

SECTION 2.

On the effective date of this Act, all cases and matters pending in any court abolished by Section 1 of this Act shall be transferred to the municipal court of the city in which such abolished court was located. The chief judge of such municipal court shall then transfer those cases over which the municipal court does not have jurisdiction to the appropriate court. All records, books, minutes, files, and documents relating to such cases or prior cases of the city court shall be likewise transferred. This Act shall be applicable only with an executed intergovernmental agreement between all affected jurisdictions.

SECTION 3.

On the effective date of this Act, each judge of a court abolished by Section 1 of this Act shall become a judge in the municipal court of the city in which such abolished court was located and shall be subject to retention until the expiration of the judge´s current term of office. On the effective date of this Act, each judge pro hac vice or senior judge of a court abolished by Section 1 of this Act shall become a judge pro hac vice in the municipal court of the city in which such abolished court was located and shall retain such position until at least December 31, 2010.

SECTION 4.

This Act shall become effective on January 1, 2005.

SECTION 5.

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