House Bill 1264 (AS PASSED HOUSE AND SENATE)

By: Representatives Heard of the 104th, Cox of the 102nd, Everson of the 106th, Marin of the 96th, Walker of the 107th, and others

A BILL TO BE ENTITLED

AN ACT

To amend an Act to continue and re-create the State Court of Gwinnett County, approved March 23, 1977 (Ga. L. 1977, p. 3331), as amended, particularly by an Act approved April 19, 2000 (Ga. L. 2000, p. 3598), so as to provide for an additional judge for the State Court of Gwinnett County; to provide for matters relative thereto; 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 to continue and re-create the State Court of Gwinnett County, approved March 23, 1977 (Ga. L. 1977, p. 3331), as amended, particularly by an Act approved April 19, 2000 (Ga. L. 2000, p. 3598), is amended by striking subsection (a) of Section 13 and inserting in its place a new subsection (a) to read as follows:

"(a) Until January 1, 2007, there shall be five judges of the State Court of Gwinnett County. Effective January 1, 2007, there shall be six judges of the State Court of Gwinnett County. The five judges of the state court in office on January 1, 2007, shall continue to serve the terms of office to which they were elected. The sixth judge added effective January 1, 2007, shall be appointed by the Governor for an initial term of office ending on December 31, 2008, and until his or her successor is elected and qualified. Future successors shall be elected at the general election conducted immediately prior to the expiration of the term of office, and they shall take office on the first day of January following their election and shall serve for a term of office of four years and until their successors are duly elected and qualified. Said additional judge shall have and may exercise all powers, duties, jurisdictions, privileges, and immunities of the present judges of the State Court of Gwinnett County. Any of the judges of said court may preside over any cause and perform any official act as judge thereof. The compensation of the additional judge shall be the same as that provided for other judges of the State Court of Gwinnett County. Upon request of the additional judge, the governing authority of

Gwinnett County is authorized to furnish the additional judge with suitable courtroom space and facilities, office space, office equipment, supplies, and such personnel as may be considered necessary by the court to the proper function of the court. All of the expenditures authorized herein are declared to be an expense of court and payable out of the county treasury as such."

SECTION 2.

This Act shall become effective on January 1, 2007, except that the Governor is authorized to appoint the additional judge added by Section 1 of this Act prior to January 1, 2007, but any person so appointed shall not take office until January 1, 2007.

SECTION 3.

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