

ADOPTED

Senator Hatchett of the 50th offered the following amendment #1:

1 *Amend the House Committee on Rules substitute to SB 73 (LC 49 1462S) by replacing line*
 2 *1 with the following:*

3 To amend Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to
 4 superior courts generally, so as to move the Superior Court of Banks County from the
 5 Piedmont Judicial Circuit to the Mountain Judicial Circuit; to provide for effective dates; to
 6 amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities and

7 *By replacing line 8 with the following:*

8 **PART I**
 9 **SECTION 1-1.**

10 Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to superior courts
 11 generally, is amended by revising paragraphs (25) and (32) of Code Section 15-6-1, relating
 12 to composition of judicial circuits, as follows:

13 "(25) Mountain Judicial Circuit, composed of the Counties of Banks, Habersham, Rabun,
 14 and Stephens;"

15 "(32) Piedmont Judicial Circuit, composed of the Counties of Barrow; and Jackson; ~~and~~
 16 ~~Banks;~~"

17 **SECTION 1-2.**

18 Said chapter is further amended by revising paragraphs (25) and (32) of Code Section 15-6-3,
 19 relating to terms of court, as follows:

20 ~~“(25) Mountain Circuit:~~

21 ~~(A) Banks County — January 1 and July 1.~~

22 ~~(A)(B) Habersham County — January 1 and July 1.~~

23 ~~(B)(C) Rabun County — January 1 and July 1.~~

24 ~~(C)(D) Stephens County — January 1 and July 1.”~~

25 ~~“(5)(32) Piedmont Circuit:~~

26 ~~(A) Banks County — First Monday in February and August, and there shall be a grand~~
 27 ~~jury for each term, but the grand jury shall not be required to be impaneled in the first~~
 28 ~~day of each term.~~

29 ~~(B) Barrow County — First Monday in February and August; and there shall be a~~
 30 ~~grand jury for each term, but the grand jury shall not be required to be impaneled in the~~
 31 ~~first day of each term.~~

32 ~~(C)(B) Jackson County — First Monday in February and August; and there shall be a~~
 33 ~~grand jury for each term, but the grand jury shall not be required to be impaneled in the~~
 34 ~~first day of each term.”~~

35 **PART 2**

36 **SECTION 2-1.**

37 Effective November 1, 2023, Banks County shall be transferred from the Piedmont Judicial
 38 Circuit to the Mountain Judicial Circuit.

39 **SECTION 2-2.**

40 All proceedings and litigations, civil, equitable, and criminal, pending in the Superior Court
 41 of Banks County at such time as it was a part of the Piedmont Judicial Circuit, including all
 42 complaints, pleadings, petitions, indictments, special presentments, summonses, processes,
 43 motions, writs, and mesne and final proceedings, together with all books and records of any

44 kind or character belonging to or issued, returnable, filed, pending, or commenced in such
45 county, shall relate to, become a part of, and be transferred to the Mountain Judicial Circuit
46 and its jurisdiction.

47 **SECTION 2-3.**

48 The county governing authorities of the newly constituted Mountain Judicial Circuit and the
49 newly constituted Piedmont Judicial Circuit shall no later than October 31, 2023, enter into
50 such intergovernmental agreements as may be appropriate concerning the matter of
51 allocation of costs and expenses of operation of each respective judicial circuit. Such costs
52 and expenses shall include, but not be limited to, circuit-wide costs and expenditures;
53 supplements to salaries and expenses of judges and district attorneys; transfer of any
54 amounts, as appropriate, held pursuant to Code Section 15-23-7; transfer of any amounts; as
55 appropriate, secured pursuant to condemnation or forfeiture actions from criminal cases that
56 originated from a violation of law in Banks County; and retirement costs. All staffing for all
57 judicial circuits referenced herein shall be governed pursuant to Code Section 15-18-28.

58 **PART III**

59 **SECTION 3-1.**

60 *By replacing line 166 with the following:*

61 **PART IV**

62 **SECTION 4-1.**

63 Part I of this Act shall become effective on November 1, 2023. Part II of this Act shall
64 become effective upon its approval by the Governor or upon its becoming law without such
65 approval for the purpose of facilitating the preparation and execution of intergovernmental
66 agreements pursuant to Section 2-3 of such part. The remaining Parts of this Act shall

67 become effective upon its approval by the Governor or upon its becoming law without such
68 approval.

69 **SECTION 4-2.**