

House Bill 722 (AS PASSED HOUSE AND SENATE)

By: Representatives Stephens of the 164<sup>th</sup>, Petrea of the 166<sup>th</sup>, and Franklin of the 160<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act establishing the State Court of Bryan County (formerly the City Court of  
2 Pembroke), approved January 10, 1938 (Ga. L. 1937-38, Ex. Sess., p. 714), as amended,  
3 particularly by an Act approved May 1, 2023 (Ga. L. 2023, p. 3851), so as to establish the  
4 position of chief judge; to provide for a new part-time associate judge; to provide for the  
5 initial appointment of such associate judge by the Governor; to provide for the elections and  
6 terms of office of the judges of the court; to provide for compensation of the judges; to  
7 provide for an effective date; to provide for related matters; to repeal conflicting laws; and  
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act establishing the State Court of Bryan County (formerly the City Court of Pembroke),  
12 approved January 10, 1938 (Ga. L. 1937-38, Ex. Sess., p. 714), as amended, particularly by  
13 an Act approved May 1, 2023 (Ga. L. 2023, p. 3851), is amended by revising Section 1.1 as  
14 follows:

15 "SECTION 1.1.

16 There shall be one full-time chief judge of the State Court of Bryan County, who shall be  
17 the present judge of said Court at the time of the effective date of this Act, and one  
18 associate judge of such court. The chief judge shall serve the remainder of the term of  
19 office to which he or she was elected. Future successors of the chief judge shall be elected  
20 at the general election conducted immediately prior to the expiration of the term of office,  
21 and they shall take office on the first day of January following their election and serve for  
22 a term of office of four years and until their successors are duly elected and qualified. Said  
23 chief judge shall have and may exercise all powers, duties, jurisdictions, privileges, and  
24 immunities of the present judge of the State Court of Bryan County and shall serve in a  
25 full-time capacity as permitted by O.C.G.A. Section 15-7-20. The compensation of the  
26 chief judge shall be set by local act of the governing authority of Bryan County. The chief  
27 judge of the state court shall receive all legally required benefits. The governing authority  
28 of Bryan County may supplement such judge's salary. All of the expenditures authorized  
29 herein are declared to be an expense of court and payable out of the county treasury as  
30 such."

31 **SECTION 2.**

32 Said Act is further amended by revising Section 1.2 as follows:

33 "SECTION 1.2.

34 The new position of associate judge of the state court shall be a part-time position, and such  
35 judge shall not be permitted to engage in the practice of law in the State Court of Bryan  
36 County. The associate judge as provided by this Act shall be appointed by the Governor  
37 for a term beginning January 1, 2026, and expiring December 31, 2028, and until a  
38 successor is elected and qualified. A successor to the associate judge shall be elected in  
39 the manner provided by Code Section 21-2-138 of the Official Code of Georgia Annotated

for the election of judges of the state courts in 2028 for a term of four years beginning on January 1, 2029, and until the election and qualification of a successor. The associate judge shall take office on the first day of January following the date of election. Said associate judge shall have and may exercise all powers, duties, jurisdictions, privileges, and immunities of the present judge of the State Court of Bryan County. The compensation of the associate judge shall be set by local act of the governing authority of Bryan County. The associate judge of the state court shall receive all legally required benefits. The governing authority of Bryan County may supplement such judge's salary. All of the expenditures authorized herein are declared to be an expense of court and payable out of the county treasury as such."

### **SECTION 3.**

Said Act is further amended by adding a new section to read as follows:

#### **"SECTION 1.3.**

Each judge of the State Court of Bryan County shall have such qualifications and shall be subject to such restrictions and discipline as provided in Chapter 7 of Title 15 of the Official Code of Georgia Annotated."

### **SECTION 4.**

Said Act is further amended by adding a new section to read as follows:

#### **"SECTION 1.4.**

The full-time judge of the State Court of Bryan County shall be the chief judge of said court. The chief judge shall have responsibility for the administration of the operations of the State Court of Bryan County, including, but not limited to, budgeting, scheduling, and the policies, rules, and standing orders of the State Court of Bryan County."

63 **SECTION 5.**

64 This Act shall become effective upon its approval by the Governor or upon its becoming law  
65 without such approval.

66 **SECTION 6.**

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