

House Bill 388 (AS PASSED HOUSE AND SENATE)

By: Representative Harden of the 148th

A BILL TO BE ENTITLED
AN ACT

1 To provide that the judge of the Probate Court of Wilcox County shall also serve as the
2 chief magistrate of the Magistrate Court of Wilcox County on or after June 1, 2015, or
3 upon vacancy of the office of chief magistrate; to provide for the compensation of such
4 judge for service as chief magistrate; to provide for the continuation in office and
5 expiration of term of the current chief magistrate; to provide an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 (a) Pursuant to subsection (g) of Code Section 15-10-20 of the Official Code of Georgia
10 Annotated, the chief magistrate of the Magistrate Court of Wilcox County shall not be
11 separately elected or appointed for any term of office that begins on or after January 1,
12 2016, but on and after that date the probate judge of Wilcox County shall serve as the
13 chief magistrate of the Magistrate Court of Wilcox County. There shall be no election or
14 appointment in 2015 or thereafter for the office of chief magistrate. The current chief
15 magistrate shall finish his or her current term; provided, however, that in the event of a
16 vacancy in the office of chief magistrate, the probate judge shall immediately begin to
17 serve as the chief magistrate. The term of office of the judge serving as chief magistrate
18 shall be concurrent with such judge's term of office as the judge of the probate court.

19 (b) Effective upon the date the judge of the probate court assumes the duties of the chief
20 magistrate, the judge of the probate court shall receive a supplement for service as chief
21 magistrate in an amount to be fixed by the governing authority of Wilcox County in
22 addition to any compensation received for service as judge of the probate court. Such
23 supplement shall not be less than the minimum amount provided by any general law of
24 the state for additional service by a judge of the probate court as chief magistrate.

25 **SECTION 2.**

26 The chief magistrate of the Magistrate Court of Wilcox County who is serving as such on
27 the effective date of this Act shall continue to serve as chief magistrate for the remainder
28 of his or her current term of office. During such time period, the current chief magistrate
29 shall continue to receive the same salary he or she as receiving for performing such duties
30 as fixed by the governing authority of Wilcox County. However, if the office of chief
31 magistrate becomes vacant prior to expiration of the current term, the probate judge shall
32 immediately begin to serve as chief magistrate.

33 **SECTION 3.**

34 On and after January 1, 2016, the number of magistrates to serve as judges of the
35 Magistrate Court of Wilcox County shall be determined by the Wilcox County Board of
36 Commissioners. Such magistrates, if any, shall be selected by the probate judge and shall
37 be appointed to take office on January 1, 2016. Such magistrates shall serve four-year
38 terms and until their respective successors are appointed and qualified.

39 **SECTION 4.**

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

42 **SECTION 5.**

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