

Senate Bill 262

By: Senator Stone of the 23rd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to
2 change provisions relating to courts and court management; to change provisions relating to
3 when a judge, judicial officer, grand juror, or trial juror may be disqualified from presiding
4 or serving, as applicable, due to being related by consanguinity or affinity to a party; to
5 provide for filing of documents in superior and state courts by electronic means; to change
6 provisions relating to filing documents by electronic means in magistrate courts; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
11 paragraph (2) of subsection (a) of Code Section 15-1-8, relating to when a judge or judicial
12 officer is disqualified, as follows:

13 "(2) Preside, act, or serve in any case or matter when such judge is related by
14 consanguinity or affinity within the ~~sixth~~ third degree as computed according to the civil
15 law to any party interested in the result of the case or matter; or"

16 **SECTION 2.**

17 Said title is further amended by revising Code Section 15-6-11, which was previously
18 reserved, as follows:

19 "15-6-11.

20 By court rule or standing order, any superior court may provide for the filing of pleadings
21 and any other documents and for the acceptance of payments and remittances by electronic
22 means. Nothing in this Code section shall be construed to prevent a clerk's acceptance of
23 payments and remittances by electronic means under the clerk's own authority. Reserved."

24 **SECTION 3.**

25 Said title is further amended by a new Code section to read as follows:

26 "15-7-5.

27 By court rule or standing order, any state court may provide for the filing of pleadings and
 28 any other documents and for the acceptance of payments and remittances by electronic
 29 means. Nothing in this Code section shall be construed to prevent a clerk's acceptance of
 30 payments and remittances by electronic means under the clerk's own authority."

31 **SECTION 4.**

32 Said title is further amended by revising subsection (i) and adding a new subsection to Code
 33 Section 15-10-53, relating to filing documents by electronic means, to read as follows:

34 "(i) Any pleading or document filed electronically shall be deemed filed as of the time ~~the~~
 35 ~~clerk of court gains electronic control of the document~~ of its receipt by the electronic filing
 36 service provider."

37 "(l) When a filing involves the transfer of funds, the court may establish a procedure for
 38 making such transactions by electronic means."

39 **SECTION 5.**

40 Said title is further amended by revising Code Section 15-12-70, relating to disqualification
 41 for relationship to interested party, as follows:

42 "15-12-70.

43 All grand jurors in the courts of this state shall be disqualified to act or serve in any case
 44 or matter when such jurors are related by consanguinity or affinity to any party interested
 45 in the result of the case or matter within the ~~sixth~~ third degree as computed according to
 46 the civil law. Relationship more remote shall not be a disqualification."

47 **SECTION 6.**

48 Said title is further amended by revising subsection (a) of Code Section 15-12-135, relating
 49 to disqualification for relationship to interested party, as follows:

50 "(a) All trial jurors in the courts of this state shall be disqualified to act or serve in any case
 51 or matter when such jurors are related by consanguinity or affinity to any party interested
 52 in the result of the case or matter within the ~~sixth~~ third degree as computed according to
 53 the civil law. Relationship more remote shall not be a disqualification."

54 **SECTION 7.**

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