

Senate Bill 373

By: Senators Tippins of the 37th, Miller of the 49th, Cowser of the 46th, Gooch of the 51st, Hill of the 4th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the
2 number of judges of superior courts, so as to provide for an eleventh judge of the superior
3 courts of the Cobb Judicial Circuit; to provide for the appointment of such additional judge
4 by the Governor; to provide for the election of successors to the judge initially appointed; to
5 prescribe the powers of such judge; to prescribe the compensation, salary, and expense
6 allowance of such judge to be paid by the State of Georgia and the county of said circuit; to
7 declare inherent authority; to provide for related matters; to provide for effective dates; to
8 repeal conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

SECTION 1.

10 Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of
11 judges of superior courts, is amended by revising paragraph (11) as follows:
12

13 *"(11) Cobb Circuit ~~to 10~~ 11"*

SECTION 2.

14 A new judge of the superior courts is added to the Cobb Judicial Circuit, thereby increasing
15 to 11 the number of judges of said circuit.
16

SECTION 3.

17 Said additional judge shall be appointed by the Governor for a term beginning January 1,
18 2019, and continuing through December 31, 2020, and until his or her successor is elected
19 and qualified. A successor to such judge shall be elected in the manner provided by law for
20 the election of judges of the superior courts of this state at the general election in
21 November, 2020, for a term of four years beginning on January 1, 2021, and until the
22 election and qualification of a successor. Future successors shall be elected at the general
23 election each four years thereafter for terms of four years and until the election and
24

25 qualification of a successor. Each successor shall take office on the first day of January
26 following the date of the election. Such elections shall be held and conducted in a manner
27 provided by law for the election of the judges of the superior courts of this state.

28 **SECTION 4.**

29 Said additional judge shall have and may exercise all powers, duties, dignity, jurisdiction,
30 privileges, and immunities of the present judges of the superior courts of this state. Any of
31 the judges of the superior court of said circuit may preside over any case therein and perform
32 any official act as judge thereof.

33 **SECTION 5.**

34 The compensation, salary, and contingent expense allowance of said additional judge shall
35 be the same as that of the other judges of the superior court of the Cobb Judicial Circuit. Any
36 salary supplements paid by the county of said circuit shall also be applicable to the additional
37 judge provided for in this Act.

38 **SECTION 6.**

39 Except as expressly stated, this Act shall not be construed to alter or repeal any provision of
40 any local Act relating to the Cobb Judicial Circuit.

41 **SECTION 7.**

42 Nothing in this Act shall be deemed to limit or restrict the inherent powers, duties, and
43 responsibilities of superior court judges provided by the Constitution and statutes of the State
44 of Georgia.

45 **SECTION 8.**

- 46 (a) For purposes of making the initial appointment of the judge to fill the superior court
47 judgeship created by this Act, this Act shall become effective upon its approval by the
48 Governor or its becoming law without such approval.
49 (b) For all other purposes, this Act shall become effective January 1, 2019.

50 **SECTION 9.**

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