

House Bill 1042 (AS PASSED HOUSE AND SENATE)

By: Representatives Kendrick of the 95th, McClain of the 109th, Martinez of the 111th,
Efstration of the 104th, Clark of the 108th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating the Recorder's Court of Gwinnett County, approved March 27,
2 1972 (Ga. L. 1972, p. 3125), as amended, particularly by an Act approved April 13, 2001
3 (Ga. L. 2001, p. 4297) and an Act approved April 11, 2012 (Ga. L. 2012, p. 5149), so as to
4 modify how the clerk of court is appointed; to revise provisions relating to the bonding and
5 insuring of said clerk; to change the compensation of the judge pro hac vice; to provide for
6 an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the Recorder's Court of Gwinnett County, approved March 27, 1972 (Ga.
10 L. 1972, p. 3125), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001,
11 p. 4297) and an Act approved April 11, 2012 (Ga. L. 2012, p. 5149), is amended by revising
12 Section 8 as follows:

13 "SECTION 8.

14 Clerk; duties; bond and compensation.

15 The clerk of said recorder's court shall be appointed by a majority vote of the judges of the
16 State Court of Gwinnett County, whose duty it shall be to keep a record of all proceedings
17 of said court, to collect all costs, fines and forfeitures, and to remit same by the fifteenth
18 day of the following month to the director of finance of Gwinnett County or such other
19 person as may be designated by the governing authority of Gwinnett County, for deposit
20 in the county depository, as general funds of Gwinnett County. The clerk shall further be
21 authorized and empowered to issue summons, subpoenas, rules to forfeit bonds, and such
22 other similar rules as may be by law authorized. The clerk shall be subject to an insurance
23 policy insuring Gwinnett County in the sum of at least \$5,000.00 for the faithful
24 performance of the duties of office and for the accounting for all funds coming into the
25 possession of the clerk by virtue of the office and to insure the county against loss of any
26 such funds and said insurance premium to be paid from county funds as an expense of said
27 court. The clerk may appoint a sufficient number of deputy clerks as may be needed, who
28 shall be subject to the same insurance policy as the clerk. The clerk shall receive as
29 compensation for services a salary which shall be determined by applying the classification
30 system that is used to determine the pay grade for management positions in Gwinnett
31 County to the clerk's position. Compensation for services shall be paid by the governing
32 authority of Gwinnett County."

33 **SECTION 2.**

34 Said Act is further amended by revising Section 13 as follows:

35 "SECTION 13.

36 Recorder pro hac vice.

37 The chief judge of the Recorder's Court of Gwinnett County shall have the authority to
38 designate a practicing attorney holding the qualifications of a judge of said recorder's court
39 to serve as a judge pro hac vice in the place of any judge during an absence for any reason,
40 including disability, or if a judge is disqualified. A judge pro hac vice while serving as
41 judge shall have the same power and authority vested in the judges of said court and shall
42 be paid at a rate of \$400.00 per day by the governing authority of Gwinnett County."

43 **SECTION 3.**

44 This Act shall become effective on July 1, 2024.

45 **SECTION 4.**

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