

House Bill 808

By: Representatives Willard of the 51st, Jones of the 47th, Burns of the 159th, Oliver of the 82nd, Meadows of the 5th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to courts, so as to create a new Judicial Qualifications
3 Commission; to provide for the powers, composition, and appointment of such commission;
4 to amend Code Section 50-14-3 of the Official Code of Georgia Annotated, relating to
5 certain proceedings exempted from open meetings requirements, so as to remove any
6 exemptions for meetings of the Judicial Qualifications Commission; to provide effective
7 dates; to provide for contingent automatic repeal; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general
12 provisions relative to courts, is amended by adding a new Code section to read as follows:

13 "15-1-12.1.

14 (a) Pursuant to Paragraph VI of Section VII of Article VI of the Constitution, there is
15 hereby created the Judicial Qualifications Commission, which shall have the power to
16 discipline, remove, and cause involuntary retirement of judges in accordance with said
17 Paragraph.

18 (b) The commission shall consist of seven members, as follows:

19 (1) Two judges of any court of record, selected by the Supreme Court;

20 (2) Three members of the State Bar of Georgia who shall have been active status
21 members of the state bar for at least ten years and who shall be appointed by the
22 Governor;

23 (3) One member of the State Bar of Georgia who shall have been an active status
24 member of the state bar for at least ten years and who shall be appointed by the Speaker
25 of the House of Representatives; and

26 (4) One member of the State Bar of Georgia who shall have been an active status
27 member of the state bar for at least ten years and who shall be appointed by the President
28 of the Senate.

29 (c) The commission may adopt procedures for its own governance which are not otherwise
30 provided by the Constitution."

31 **SECTION 2.**

32 Code Section 50-14-3 of the Official Code of Georgia Annotated, relating to certain
33 proceedings exempted from open meetings requirements, is amended by adding a new
34 subsection to read as follows:

35 "(c) The exemptions provided by subsections (a) and (b) of this Code section shall not
36 apply to meetings of the Judicial Qualifications Commission."

37 **SECTION 3.**

38 (a) Section 1 of this Act shall become effective on January 1, 2017, only if an amendment
39 to the Constitution abolishing the existing Judicial Qualifications Commission and
40 requiring the General Assembly to create and provide by general law for the composition
41 and manner of appointment of a new Judicial Qualifications Commission, with such
42 commission having the power to discipline, remove, and cause involuntary retirement of
43 judges, is ratified by the voters at the November, 2016, state-wide general election. If such
44 an amendment is not so ratified, then Section 1 of this Act shall not become effective and
45 shall stand repealed on January 1, 2017.

46 (b) All other provisions of this Act shall become effective upon approval of this Act by the
47 Governor or upon its becoming law without such approval.

48 **SECTION 4.**

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