

House Bill 279 (AS PASSED HOUSE AND SENATE)

By: Representatives Powell of the 171st, Abrams of the 89th, Fleming of the 121st, Oliver of the 82nd, Willard of the 51st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15, Article 2 of Chapter 12 of Title 17, and Code Section 45-7-4 of the
2 Official Code of Georgia Annotated, relating to courts, public defenders, and annual salaries
3 of certain state officials, respectively, so as to provide daily expense allowances to Supreme
4 Court Justices and Court of Appeals Judges in certain circumstances; to increase the number
5 of Court of Appeals Judges; to change provisions relating to a quorum; to provide for the
6 Judges' appointment and election; to change provisions relating to the compensation of
7 superior court judges, district attorneys, circuit public defenders, Supreme Court Justices, and
8 Court of Appeals Judges; to provide for accountability court salary supplements for judicial
9 officers serving in circuits with drug court, mental health court, and veterans court divisions;
10 to change provisions relating to county salary supplements for superior court judges, district
11 attorneys, and circuit public defenders; to provide for a fourth judge of the superior courts
12 of the Western Judicial Circuit; to provide for the appointment of such additional judge by
13 the Governor; to provide for the election of successors to the judge initially appointed; to
14 prescribe the powers of such judge; to prescribe the compensation, salary, and expense
15 allowance of such judge to be paid by the State of Georgia and the counties comprising said
16 circuit; to provide for the selection of a chief judge; to authorize the judges of such circuit
17 to divide and allocate the work and duties thereof; to provide for the manner of impaneling
18 jurors; to provide for an additional court reporter for such circuit; to authorize the governing
19 authority of the counties that comprise the Western Judicial Circuit to provide facilities,
20 office space, supplies, equipment, and personnel for such judges; to declare inherent
21 authority; to create the Judicial, District Attorney, and Circuit Public Defender Compensation
22 Commission; to provide for the purpose, membership, terms, chairperson, other officers,
23 committees, staffing, and funding for the commission; to provide for meetings and members'
24 expenses; to provide for the duties, powers, reporting, and responsibilities of the commission;
25 to provide for automatic repeal of the commission; to provide for related matters; to provide
26 for a contingent effective date and effective dates; to repeal conflicting laws; and for other
27 purposes.

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

29 **PART I**

30 **SECTION 1-1.**

31 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by adding
32 a new paragraph to subsection (b) of Code Section 15-2-3, relating to oath of Justices and
33 compensation, as follows:

34 "(3) If a Justice resides 50 miles or more from the judicial building in Atlanta, such
35 Justice shall also receive the same daily expense allowance as members of the General
36 Assembly receive, as set forth in Code Section 28-1-8, for not more than 30 days during
37 each term of court. Such days shall be utilized only when official court business is being
38 conducted. All allowances provided for in this paragraph shall be paid upon the
39 submission of proper vouchers."

40 **SECTION 1-2.**

41 Said title is further amended by revising subsections (a) and (e) of Code Section 15-3-1,
42 relating to composition of the Court of Appeals and quorum, as follows:

43 "(a) **Composition.** The Court of Appeals shall consist of ~~12~~ 15 Judges who shall elect one
44 of their number as Chief Judge, in such manner and for such time as may be prescribed by
45 rule or order of the court."

46 "(e) **Quorum.** When all the members of the court are sitting together as one court, ~~seven~~
47 ~~eight~~ eight Judges shall be necessary to constitute a quorum. In all cases decided by such court
48 as a whole by less than ~~12~~ 15 Judges, the concurrence of at least ~~seven~~ eight shall be
49 essential to the rendition of a judgment."

50 **SECTION 1-2A.**

51 Said title is further amended by revising Code Section 15-3-4, relating to election and term
52 of office of Judges of Court of Appeals, as follows:

53 "15-3-4.

54 (a) The Judges of the Court of Appeals shall be elected at the general primary in each
55 even-numbered year in the manner in which Justices of the Supreme Court are elected.
56 The election of the Judges shall be as follows:

57 (1) Successors to the Judges serving in judgeships which existed prior to 1999 shall be
58 elected as follows:

59 (A) Successors to any Judges whose terms expired at the end of 1998 shall be elected
60 at the general election in 2004 and each sixth year thereafter;

61 (B) Successors to any Judges whose terms expire at the end of 2000 shall be elected
62 at the general election in 2000 and each sixth year thereafter;

63 (C) Successors to any Judges whose terms expire at the end of 2002 shall be elected
64 at the general election in 2002 and each sixth year thereafter; and

65 (D) Successors to any Judges whose terms expire at the end of 2004 shall be elected
66 at the general election in 2004 and each sixth year thereafter; and

67 (2) Successors to the two Judges serving in the judgeships created in 1999 shall be
68 elected at the 2000 general election and each sixth year thereafter.

69 The terms of the Judges shall begin on January 1 following their election and, except as
70 provided above, shall continue for six years and until their successors are qualified. They
71 shall be commissioned accordingly by the Governor.

72 (b) The additional judgeships created in 2015 shall be appointed by the Governor for a
73 term beginning January 1, 2016, and continuing through December 31, 2018, and until their
74 successors are elected and qualified. Their successors shall be elected in the manner
75 provided by law for the election of Judges of the Court of Appeals at the nonpartisan
76 judicial election in 2018, for a term of six years beginning on January 1, 2019, and until
77 their successors are elected and qualified. Future successors shall be elected at the
78 nonpartisan judicial election each sixth year after such election for terms of six years and
79 until their successors are elected and qualified. They shall take office on the first day of
80 January following the date of the election."

81 **SECTION 1-2B.**

82 Said title is further amended by adding a new paragraph to subsection (b) of Code Section
83 15-3-5, relating to oath of Judges and compensation, to read as follows:

84 "(3) If a Judge resides 50 miles or more from the judicial building in Atlanta, such Judge
85 shall also receive the same daily expense allowance as members of the General Assembly
86 receive, as set forth in Code Section 28-1-8, for not more than 30 days during each term
87 of court. Such days shall be utilized only when official court business is being
88 conducted. All allowances provided for in this paragraph shall be paid upon the
89 submission of proper vouchers."

90 **SECTION 1-3.**

91 Said title is further amended by revising subsections (a) and (b) of Code Section 15-6-29,
92 relating to the salary of superior court judges, as follows:

93 "(a) The annual salary of the judges of the superior courts shall be as provided in Code
94 Section 45-7-4 and may be as provided in Code Section 15-6-29.1. The annual salary

95 provided by Code Section 45-7-4 shall be paid by The Council of Superior Court Judges
 96 of Georgia in 12 equal monthly installments.

97 (b) The annual salary so fixed shall be the total compensation to be paid by the state to the
 98 superior court judges and shall be in lieu of any and all other amounts to be paid from The
 99 Council of Superior Court Judges of Georgia, except as provided in Code Sections
 100 15-6-29.1, 15-6-30, and 15-6-32."

101 **SECTION 1-4.**

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

103 "15-6-29.1.

104 (a) Whenever a circuit has implemented a drug court division, mental health court
 105 division, or veterans court division, then on and after January 1, 2016, the state shall pay
 106 each superior court judge in such circuit an annual accountability court supplement of
 107 \$6,000.00. Such supplement shall be paid from state funds by The Council of Superior
 108 Court Judges of Georgia in equal monthly installments as regular compensation.

109 (b) When a local law provides for a salary to be paid based on a percentage of, total
 110 compensation for, or similar mathematical relationship to a superior court judge's salary,
 111 the accountability court salary supplement paid pursuant to this Code section shall not be
 112 included in the calculation of compensation to be paid by a county, municipality, or
 113 consolidated government.

114 (c) Notwithstanding subsection (c) of Code Section 15-6-29, on and after January 1, 2016,
 115 no county or counties comprising the circuit shall increase an aggregate county salary
 116 supplement paid to a superior court judge, if such supplement is \$50,000.00 or more."

117 **SECTION 1-5.**

118 Said title is further amended by revising Code Section 15-18-10, relating to compensation
 119 of district attorneys, as follows:

120 "15-18-10.

121 (a) Each district attorney shall receive an annual salary from state funds as prescribed by
 122 law. Such salary shall be paid as provided in Code ~~Section~~ Sections 15-18-10.1 and
 123 15-18-19.

124 (b) The county or counties comprising the judicial circuit may supplement the salary of
 125 the district attorney in such amount as is or may be authorized by local Act or in such
 126 amount as may be determined by the governing authority of such county or counties,
 127 whichever is greater.

128 (c) ~~All fees, fines, forfeitures, costs, and commissions formerly allowed district attorneys~~
 129 ~~for their services as district attorney or as solicitor of any other court shall become the~~

130 ~~property of the county in which the services of the district attorney were rendered. The~~
 131 clerk of court shall collect any such fees, fines, forfeitures, costs, and emoluments and
 132 remit the same to the county treasury by the fifteenth day of each month.

133 (d) No district attorney receiving an annual salary under this Code section shall engage in
 134 the private practice of law."

135 SECTION 1-6.

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

137 "15-18-10.1.

138 (a) Whenever a circuit has implemented a drug court division, mental health court
 139 division, or veterans court division, then on and after January 1, 2016, the state shall pay
 140 the district attorney in such circuit an annual accountability court supplement of \$6,000.00.
 141 Such supplement shall be paid from state funds by the Prosecuting Attorneys' Council of
 142 the State of Georgia in equal monthly installments as regular compensation.

143 (b) Notwithstanding Code Sections 15-18-14 and 15-18-14.2, the accountability court
 144 salary supplement paid pursuant to this Code section shall not be included in any
 145 calculation of compensation paid to assistant district attorneys or victim assistance
 146 coordinators that is measured as a percentage of a district attorney's salary.

147 (c) When a local law provides for a salary to be paid based on a percentage of, total
 148 compensation for, or similar mathematical relationship to a district attorney's salary, the
 149 accountability court salary supplement paid pursuant to this Code section shall not be
 150 included in the calculation of compensation to be paid by a county, municipality, or
 151 consolidated government.

152 (d) Notwithstanding subsection (b) of Code Section 15-18-10 and Code Section 15-18-19,
 153 on or after January 1, 2016, no county or counties comprising the circuit shall increase an
 154 aggregate county salary supplement paid to the district attorney or a state-paid position
 155 appointed pursuant to this article, if such supplement is \$50,000.00 or more."

156 SECTION 1-7.

157 Article 2 of Chapter 12 of Title 17 of the Official Code of Georgia Annotated, relating to
 158 public defenders, is amended by revising subsection (a) of Code Section 17-12-25, relating
 159 to the salary of the public defender, as follows:

160 "(a) Each circuit public defender shall receive an annual salary of ~~\$87,593.58~~ \$99,526.00,
 161 and cost-of-living adjustments may be given by the General Assembly in the General
 162 Appropriations Act by a percentage not to exceed the average percentage of the general
 163 increase in salary as may from time to time be granted to employees of the executive,
 164 judicial, and legislative branches of government; provided, however, that any increase for

198	(19) Each Judge of the Court of Appeals	<u>174,500.00</u>
		138,556.00

199	(20) Each superior court judge	<u>126,265.00</u>
		99,862.00

200 ~~Each superior court judge shall also receive any supplement paid to such~~
 201 ~~judge by the county or counties of such judge's judicial circuit as may be~~
 202 ~~provided for by law. Each superior court judge shall also receive~~
 203 ~~reimbursement of travel expenses as provided by law.~~

204	(21) Each district attorney	<u>120,072.00</u>
		107,905.00

205 ~~Each district attorney shall also receive any supplement paid to such district~~
 206 ~~attorney by the county or counties of such district attorney's judicial circuit~~
 207 ~~as may be provided for by law. Each district attorney shall also receive~~
 208 ~~reimbursement of travel expenses as provided by law."~~

PART II

SECTION 2-2.

211 Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of
 212 judges of superior courts, is amended by revising paragraph (42) as follows:

213 "(42) Western Circuit ~~3~~ 4"

SECTION 2-2.

214 One additional judge of the superior courts is added to the Western Judicial Circuit, thereby
 215 increasing to four the number of judges of said circuit.

SECTION 2-3.

217 Said additional judge shall be appointed by the Governor for a term beginning April 1, 2016,
 218 and continuing through December 31, 2018, and until his or her successor is elected and
 219 qualified. His or her successor shall be elected in the manner provided by law for the
 220 election of judges of the superior courts of this state at the nonpartisan judicial election in
 221 2018, for a term of four years beginning on January 1, 2019, and until his or her successor
 222 is elected and qualified. Future successors shall be elected at the nonpartisan judicial
 223 election each four years after such election for terms of four years and until their successors
 224 are elected and qualified. They shall take office on the first day of January following the date
 225 of the election.
 226

227 **SECTION 2-4.**

228 The additional judge of the superior courts of the Western Judicial Circuit shall have and
229 may exercise all powers, duties, dignity, jurisdiction, privileges, and immunities of the
230 present judges of the superior courts of this state. Any of the judges of the Western Judicial
231 Circuit may preside over any cause, whether in their own or in other circuits, and perform
232 any official act as judge thereof, including sitting on appellate courts as provided by law.

233 **SECTION 2-5.**

234 The qualifications of such additional judge and his or her successors shall be the same as are
235 now provided by law for all other superior court judges, and his or her compensation, salary,
236 and expense allowance from the State of Georgia and from the counties comprising the
237 Western Judicial Circuit shall be the same as are now provided by law for the other superior
238 court judges of such circuit. The provisions, if any, enacted for the supplementation by the
239 counties of such circuit of the salary of the judges of the superior courts of the Western
240 Judicial Circuit shall also be applicable to the additional judge provided for by this Act.

241 **SECTION 2-6.**

242 All writs and processes in the superior courts of the Western Judicial Circuit shall be
243 returnable to the terms of such superior courts as they are now fixed and provided by law,
244 or as they may hereafter be fixed or determined by law, and all terms of such courts shall be
245 held in the same manner as though there were but one judge, it being the intent and purpose
246 of this Act to provide four judges equal in jurisdiction and authority to attend and perform
247 the functions, powers, and duties of the judges of such superior courts and to direct and
248 conduct all hearings and trials in such courts.

249 **SECTION 2-7.**

250 The chief judge shall be selected by majority vote of the judges of the superior courts of the
251 Western Judicial Circuit. In the event of a tie vote, the judge nominated for the position most
252 senior in point of service shall be the chief judge for the ensuing term. The term of the chief
253 judge shall be for two years, or until the person serving as chief judge resigns the position
254 or leave the court, whichever time is shorter. The chief judge shall be eligible to succeed
255 himself or herself for one additional term.

256 **SECTION 2-8.**

257 Upon and after qualification of the additional judge of the superior courts of the Western
258 Judicial Circuit, the four judges of such circuit may adopt, promulgate, amend, and enforce
259 such rules of practice and procedure in consonance with the Constitution and laws of the

260 State of Georgia as they deem suitable and proper for the effective transaction of the business
261 of the court; and, in transacting the business of the court and in performing their duties and
262 responsibilities, they shall share, divide, and allocate the work and duties to be performed by
263 each. In the event of a disagreement among the judges in respect hereof, the decision of the
264 chief judge shall be controlling. The four judges of the superior courts of the Western
265 Judicial Circuit shall have and are clothed with full power, authority, and discretion to
266 determine from time to time and term to term the manner of calling the dockets, fixing the
267 calendars, and order of business in such courts. They may assign to one of such judges the
268 hearing of trials by jury for a term and the hearing of all other matters not requiring a trial
269 by jury to the other judges, and they may rotate such order of business at the next term. They
270 may conduct trials by jury at the same time in the same county or otherwise within such
271 circuit, or they may hear chambers business and motion business at the same time at any
272 place within such circuit. They may provide in all respects for holding the superior courts
273 of such circuit so as to facilitate the hearing and determination of all the business of such
274 courts at any time pending and ready for trial or hearing. In all such matters relating to the
275 fixing, arranging for, and disposing of the business of such courts and making appointments
276 as authorized by law where the judges thereof cannot agree or shall differ, the opinion or
277 order of the chief judge as provided for in this Act shall control.

278

SECTION 2-9.

279 The drawing and impaneling of all jurors, whether grand, petit, or special, may be by any of
280 the judges of the superior courts of such circuit; and they, or any one of them, shall have full
281 power and authority to draw and impanel jurors for service in such courts so as to have jurors
282 for the trial of cases before any of such judges separately or before each of them at the same
283 time.

284

SECTION 2-10.

285 The four judges of the superior courts of the Western Judicial Circuit shall be authorized and
286 empowered to appoint an additional court reporter for such circuit, whose compensation shall
287 be as now or hereafter provided by law.

288

SECTION 2-11.

289 All writs, processes, orders, subpoenas, and any other official paper issuing out of the
290 superior courts of the Western Judicial Circuit may bear teste in the name of any judge of the
291 Western Judicial Circuit and, when issued by and in the name of any judge of such circuit,
292 shall be fully valid and may be heard and determined before the same or any other judge of

293 such circuit. Any judge of such circuit may preside over any case therein and perform any
 294 official act as judge thereof.

295 **SECTION 2-12.**

296 Upon request of any judge of the circuit, the governing authorities of the counties comprising
 297 the Western Judicial Circuit shall be authorized to furnish the judges of such circuit with
 298 suitable courtrooms and facilities, office space, telephones, furniture, office equipment,
 299 supplies, and such personnel as may be considered necessary by the court to the proper
 300 function of the court. All of the expenditures authorized in this Act are declared to be an
 301 expense of the court and payable out of the county treasury as such.

302 **SECTION 2-13.**

303 Nothing in this part shall be deemed to limit or restrict the inherent powers, duties, and
 304 responsibilities of superior court judges provided by the Constitution and statutes of the State
 305 of Georgia.

306 **PART III**

307 **SECTION 3-1.**

308 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
 309 Chapter 22, currently designated as reserved, as follows:

310 "CHAPTER 22

311 15-22-1.

312 (a) There is created the Judicial, District Attorney, and Circuit Public Defender
 313 Compensation Commission for the purpose of conducting periodic comprehensive reviews
 314 of all aspects of compensation paid to justices, judges, district attorneys, and circuit public
 315 defenders.

316 (b) As used in this chapter, the term 'commission' means the Judicial, District Attorney,
 317 and Circuit Public Defender Compensation Commission.

318 15-22-2.

319 (a) The commission shall consist of five members. The Governor shall appoint two citizen
 320 members, one of whom shall have experience in executive compensation who is not an
 321 attorney. The Chief Justice of the Supreme Court shall appoint one member who shall be
 322 currently serving or be retired from serving as a judge or justice in this state. The

323 Lieutenant Governor and the Speaker of the House of Representatives shall each appoint
324 one member, neither of whom shall be attorneys. The chairperson of the Senate
325 Appropriations Committee and the chairperson of the House Committee on Appropriations
326 shall serve as ex officio nonvoting members of the commission.

327 (b) Each member of the commission shall be appointed to serve for a term of four years
328 or until his or her successor is duly appointed. A member may be appointed to succeed
329 himself or herself on the commission. If a member of the commission is an elected or
330 appointed official, the member shall be removed from the commission if the member no
331 longer serves as such elected or appointed official.

332 (c) Vacancies on the commission shall be filled by appointment in the same manner as the
333 original appointment. An appointment to fill a vacancy, other than by expiration of a term
334 of office, shall be for the balance of the unexpired term.

335 (d) The Governor shall designate the chairperson of the commission. The commission
336 may elect other officers as it deems necessary. The chairperson of the commission may
337 designate and appoint committees from among the membership of the commission as well
338 as appoint other persons to perform such functions as he or she may determine to be
339 necessary as relevant to and consistent with this chapter. The chairperson shall only vote
340 to break a tie.

341 (e) The commission shall be attached for administrative purposes only to the Criminal
342 Justice Coordinating Commission. The Criminal Justice Coordinating Commission shall
343 provide staff support for the commission and shall use any funds specifically appropriated
344 to it to support the work of the commission.

345 15-22-3.

346 (a) The commission may conduct meetings at such places and times as it deems necessary
347 or convenient to enable it to exercise fully and effectively its powers, perform its duties,
348 and accomplish the objectives and purposes of this chapter. The commission shall hold
349 meetings at the call of the chairperson. The commission shall meet not less than twice
350 every year.

351 (b) A quorum for transacting business shall be a majority of the members of the
352 commission.

353 (c) Any legislative members of the commission shall receive the allowances provided for
354 in Code Section 28-1-8. Citizen members shall receive a daily expense allowance in the
355 amount specified in subsection (b) of Code Section 45-7-21 as well as the mileage or
356 transportation allowance authorized for state employees. Members of the commission who
357 are state officials, other than legislative members, or state employees shall receive no
358 compensation for their services on the commission, but they shall be reimbursed for

359 expenses incurred by them in the performance of their duties as members of the
360 commission in the same manner as they are reimbursed for expenses in their capacities as
361 state officials or state employees. The funds necessary for the reimbursement of the
362 expenses of state officials, other than legislative members, and state employees shall come
363 from funds appropriated to or otherwise available to their respective departments. All other
364 funds necessary to carry out this subsection shall come from funds appropriated to the
365 Senate and the House of Representatives.

366 15-22-4.

367 (a) The commission shall have the following duties:

368 (1) To review the conditions, needs, issues, and problems related to the efficient use of
369 resources and caseload balance of the justice system in this state and the compensation
370 paid to justices, judges, district attorneys, and circuit public defenders; issue a report on
371 the same to the executive counsel of the Governor, the Office of Planning and Budget,
372 and the chairpersons of the House Committee on Appropriations, the Senate
373 Appropriations Committee, the House Committee on Judiciary, and the Senate Judiciary
374 Committee; and recommend any action or proposed legislation which the commission
375 deems necessary or appropriate. Nothing contained in the commission's report shall be
376 considered to authorize or require a change in any law without action by the General
377 Assembly. The commission shall issue its first report on or before December 15, 2015,
378 its second report on or before December 15, 2016, and thereafter at least every two years;
379 and

380 (2) To evaluate and consider:

381 (A) Whether the compensation structure of this state is adequate to ensure that the most
382 highly qualified attorneys in this state, drawn from diverse life and professional
383 experiences, are not deterred from serving or continuing to serve in the state judiciary,
384 as district attorneys, and as circuit public defenders and do not become demoralized
385 during service because of compensation levels;

386 (B) The compensation paid as a county supplement to judges, district attorneys, circuit
387 public defenders, and other staff associated with the courts;

388 (C) The caseload demands of judicial officers, prosecuting attorneys, and public
389 defenders and the allocation of such officials, including staffing resources and
390 jurisdictional structure;

391 (D) The skill and experience required of the particular judgeships or attorney positions
392 at issue;

393 (E) The time required of the particular judgeships or attorney positions at issue;

394 (F) The value of compensable service performed by justices and judges, district
 395 attorneys, and circuit public defenders as determined by reference to compensation in
 396 other states and the federal government;

397 (G) The value of comparable service performed in the private sector, including private
 398 judging, arbitration, and mediation, based on the responsibility and discretion required
 399 in the particular judgeship at issue and the demand for those services in the private
 400 sector;

401 (H) The compensation of attorneys in the private sector;

402 (I) The Consumer Price Index and changes in such index;

403 (J) The overall compensation presently received by other public officials and
 404 employees; and

405 (K) Any other factors that are normally or traditionally taken into consideration in the
 406 determination of compensation.

407 (b) The commission shall have the following powers:

408 (1) To make findings, conclusions, and recommendations as to the proper salary and
 409 benefits for all justices and judges, district attorneys, and circuit public defenders of this
 410 state;

411 (2) To make findings, conclusions, and recommendations as to the efficient use of
 412 resources and caseload balance of the justice system in this state;

413 (3) To request and receive data from and review the records of appropriate state
 414 agencies, local governments, and courts to the greatest extent allowed by state and federal
 415 law;

416 (4) To accept public or private grants, devises, and bequests;

417 (5) To authorize entering into contracts or agreements through the commission's
 418 chairperson necessary or incidental to the performance of its duties;

419 (6) To establish rules and procedures for conducting the business of the commission; and

420 (7) To conduct studies, hold public meetings, collect data, or take any other action the
 421 commission deems necessary to fulfill its responsibilities.

422 (c) The commission shall be authorized to retain the services of attorneys, consultants,
 423 subject matter experts, economists, budget analysts, data analysts, statisticians, and other
 424 individuals or organizations as determined appropriate by the commission.

425 15-22-5.

426 This chapter shall be repealed effective June 30, 2020, unless continued in effect by the
 427 General Assembly prior to that date."

428

PART IV

429

SECTION 4-1.

430 (a) Except as provided in subsections (b) and (c) of this section, this Act shall become
431 effective upon its approval by the Governor or upon its becoming law without such approval.

432 (b)(1) Part I of this Act shall become effective only if funds are appropriated for
433 purposes of Part I of this Act in an appropriations Act enacted at the 2015 regular session
434 of the General Assembly.

435 (2) If funds are so appropriated, then Part I of this Act shall become effective on July 1,
436 2015, for purposes of making the initial appointments of the Court of Appeals Judges
437 created by Part I of this Act, and for all other purposes, Part I of this Act shall become
438 effective on January 1, 2016.

439 (3) If funds are not so appropriated, then Part I of this Act shall not become effective and
440 shall stand repealed on July 1, 2015.

441 (c)(1) For purposes of making the initial appointments of the judge to fill the superior
442 court judgeship created by Part II of this Act, Part II of this Act shall become effective
443 upon its approval by the Governor or its becoming law without such approval.

444 (2) For all other purposes, Part II of this Act shall become effective on April 1, 2016.

445

SECTION 4-2.

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