



Georgia

HOUSE OF REPRESENTATIVES

Tuesday
January 23,
2018

DAILY REPORT

8th
Legislative
Day

House Budget & Research Office
(404) 656-5050

House Media Services
(404) 656-0309

- The House will reconvene for its 9th Legislative Day on Wednesday, January 24 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m on Thursday, January 25
- No bills / resolutions are expected to be debated on the floor.

Today on the Floor

Local Calendar

HB 682 Long County; Board of Commissioners; provide staggering of terms of office

Bill Summary: This bill staggers the terms of office for the county commission districts of Long County.

Authored By:	Rep. J. B. Jones (167th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	01-22-2018 Do Pass
Floor Vote:	Yeas: 160 Nays: 0		

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Judiciary Committee

HB 190 Domestic relations; marriage articles and antenuptial agreements; change provisions

Bill Summary: This bill amends the O.C.G.A. related to marriage antenuptial agreements. The term "antenuptial", commonly known as a "prenuptial", is defined. In a marriage contract, a spouse cannot be contracted around not being able to pay his/her existing debts. The younger spouse in an antenuptial agreement or marriage contract cannot invalidate it as long as the spouse is of legal age to contract marriage. Specifics of an antenuptial agreement are outlined, replacing the definition of marriage articles.

Marriage contract specifics are listed. If a marriage contract is in writing, it shall be understood to give effect to the intentions of the parties, and no lack of form shall invalidate it. Either spouse may voluntarily execute an antenuptial agreement, or either spouse can at any time during the marriage, either directly or indirectly through a trustee, transfer title of any property to which the spouse has title without notice, subject to limitations by prior purchasers or creditors. Upon petition, the superior court judge can at any time change/remove trustees and does not need to transmit the proceeding in each case to the clerk of the superior court for recording purposes. Antenuptial agreements may be enforced by a court of equity for: the parties to the marriage; a spouse at any time during the life of the other spouse, as long as third parties (such as creditors) are not affected; or the offspring of the marriage and their heirs after either spouse's death, so long as the court may enforce in favor of other persons, not including volunteers. Requirements/sanctions for recording or

failure to record marriage contracts and voluntary settlements with the office of the clerk of the superior court are removed. Finally, for agreements required to be in writing, the amendment removes the exception of marriage articles in agreements made upon consideration of marriage.

Authored By: Rep. Meagan Hanson (80th)

**House
Committee:** Judiciary

**Committee
Action:**

01-23-2018 Do Pass by Committee
Substitute

HB 630 Probate courts; change certain general provisions

Bill Summary: This bill amends Code sections related to general provisions for probate courts involving training, appointments and vacancies.

The bill repeals provisions allowing the sheriff to act as an administrator. It extends the time allotted to complete new judge orientation training and file an attendance record, rather than a certificate, to one year.

This bill also removes the provision mandating concurrent terms of employment of an associate judge and the elected judge so that an associate judge may remain employed beyond the term of the elected judge. Associate judges may also practice any law outside his or her of role as an associate judge.

In the event a probate court judge is unable to act and does not appoint another attorney, a clerk of court may only act as the probate judge if the clerk is qualified to run for the position. A special election is required. Before the special election, the vacancy may be filled by the most senior associate judge, and if the most senior associate judge does not wish to fill the vacancy, he or she shall inform the chief judge of the superior court in which the judgeship is located in writing. If no associate judge exists to fill the vacancy or if all judges decline, the vacancy shall be filled by a qualified chief probate clerk. In the absence of an associate judge or chief clerk, the chief superior court judge shall appoint an individual to serve until the election.

The bill increases the judge's bond requirement from \$25,000 to \$100,000 to be paid by the county government.

Finally, the bill removes the minimum number of years a judge must serve to qualify as "retired" for purposes of granting a marriage license.

Authored By: Rep. Mary Oliver (82nd)

**House
Committee:** Judiciary

**Committee
Action:**

01-23-2018 Do Pass by Committee
Substitute

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Wednesday, January 24, 2018

10:00 AM	FLOOR SESSION (LD 9) - House Chamber
1:00 PM	MEDICAL CANNABIS WORKING GROUP - 606 CLOB
1:30 PM	Ways & Means Subcommittee on Public Finance and Policy - 133 CAP
2:00 PM	RETIREMENT - 515 CLOB
3:00 PM	INDUSTRY AND LABOR - 506 CLOB