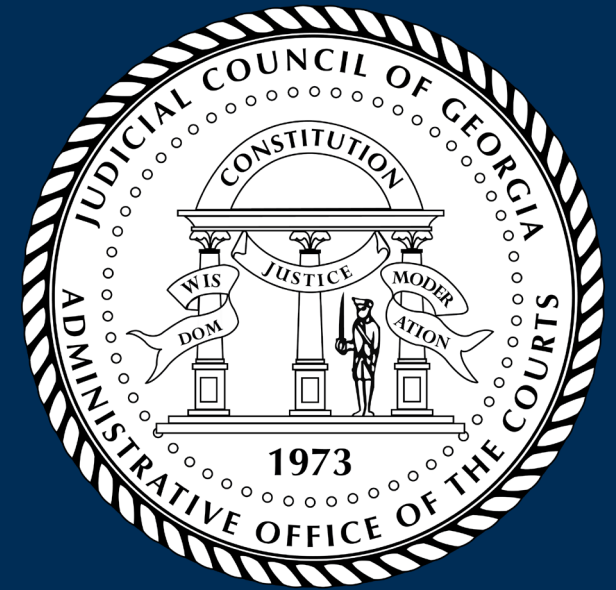


2025 Georgia Legislative Update for Courts

Council of Accountability Court Judges
Annual Training Conference
September 15, 2025

Tracy Mason & Robby Lee
Judicial Council/Administrative Office of the Courts



This presentation and accompanying resources are intended to provide an overview/summary of legislation introduced and/or passed during the 2025 session of the Georgia General Assembly. These materials should not be used as the definitive source of legal interpretation. For detailed information, please refer to the actual bill/statutory language which can be found at www.legis.ga.gov.

Special thanks to CACJ General Counsel for practice tips and guidance on this presentation.

Georgia General Assembly 2025 Session (Year 1)

- January 13: Day 1
- January 28: State of the Judiciary Address
- March 6: Day 28 – Crossover Day
- April 1: Investiture of Chief Justice Peterson & Presiding Justice Warren
- April 4: Day 40 – *Sine Die*
- May 14: End of Bill Review / Governor's Veto Deadline



Bills Passed
Supported by the
Judicial Council



HB 179 – Digital Takedown

Appellate practice; digital recording of certain trial proceedings; provide

- Judicial Council
- OCGA Titles 5, 9, 15
- Authorizes the use of digital takedown in courts, in accordance with court rules
- Optional – not mandatory
- Applies to misdemeanor and civil proceedings. Also applies to felony proceedings that do not include witness testimony
- Effective Date: January 1, 2026
- AC practice tip: Digital takedown systems can be used for sanction hearings and termination hearings, as well as for regular court sessions.



HB 85 & HB 86 - Judicial Compensation Reform

- HB 85 - Superior Courts
- HB 86 - State-wide Courts
- Implements recommendations made by JC Ad Hoc Committee on Salaries and Supplements
- Eliminated the separate accountability court supplement for superior court judges
- Effective Date: July 1, 2025



HB 180 – Supplemental Affidavit for Article 6 Probate Courts

Probate courts; modify certain requirements for probate judges

- Council of Probate Court Judges
- OCGA § 15-9-4
- Requires probate judge candidates in counties with a population of 90,000 or more provide a supplemental affidavit affirming that the candidate meets all qualifications required for the position
- Effective Date: July 1, 2025



HB 199 – Judicial Security

Courts; protection of personally identifiable information of judges and their spouses; modify provisions

- Judicial Council
- OCGA § 15-5-110; 15-5-112
- Follow-up to SB 508 (2024)
- Streamlines the process for restricting from public disclosure the personally identifiable information (PII) of any current or former judges or justices and their spouses
- Only applies to PII held by State or local government entities
- Two methods for removing PII from public disclosure
 - Entities who have an affirmative obligation to restrict PII
 - Other state and local entities that will remove PII upon request
- Effective Date: July 1, 2025



HB 426 – Nonpartisan Elections for Magistrate Court Judges

Courts; nonpartisan election of magistrates; provide

- Council of Magistrate Court Judges & Council of Probate Court Judges
- OCGA Titles 15, 20
- General legislation to provide for nonpartisan elections of magistrates
- Effective Date: July 1, 2025



Other Bills Passed



SB 12 - Inspection of Public Records; documents and records in the possession of private persons or entities; revise provisions

- OCGA § 50-18-4
- Requires custodians to retrieve public records from private entities if those records were created or received in the performance of a service for an agency or transferred for storage or future use.
- Note that Accountability Courts have confidentiality provisions in their statutes – refer to your statute or contact CACJ if you have questions.
- Signed by Governor: May 14, 2025
- Effective Date: May 14, 2025



SB 68 – Definition of Damages in PI and Wrongful Death (Tort Reform 1)

Civil Practice; substantive and comprehensive revision of provisions regarding civil practice, evidentiary matters, damages, and liability in tort actions; provide

- Comprehensively reforms civil practice, evidentiary matters, damages, and liability in tort actions
- Signed by Governor/Effective Date: April 21, 2025

SB 69 – Litigation Financing (Tort Reform 2)

“Georgia Courts Access and Consumer Protection Act”; enact

- Regulates third-party litigation financing
- Effective Date: January 1, 2026
 - Section 3 Effective Date: May 14, 2025



SB 79 – “Fentanyl Eradication and Removal Act”; enact

- OCGA Titles 4, 16, 17, 42, and 45
- Significantly increases penalties and adjusts trafficking thresholds for fentanyl and other substances:
 - 4–8 grams of fentanyl: Minimum 10 years imprisonment and \$75,000 fine
 - 8–14 grams: Minimum 15 years imprisonment and \$150,000 fine
 - 14–28 grams: Minimum 25 years imprisonment and \$250,000 fine
 - 28 grams or more: Minimum 35 years imprisonment and \$750,000 fine
- Signed by the Governor: May 12, 2025
- Effective Date: July 1, 2025



SB 99 – Crimes and Offenses

Definition of law enforcement officer; provide

- OCGA § 16-1-3 & 17-4-20
- Expands the definition of 'law enforcement officer' to include peace officers, appointed police chiefs, elected sheriffs, and federal law enforcement officers
- Effective Date: May 14, 2025



SB 259 - Juvenile Code; certain procedures to be followed when there is a determination of suspected child abuse or neglect; provide

- OCGA Title 15
- “Ridge’s Law” establishes procedure for physicians to notify parents and DFCS when a child is taken into temporary protective custody for suspected abuse or neglect as well as grants parents the right to obtain and present independent medical evaluations or pediatric specialty consultations in dependency proceedings.
- Effective Date: May 12, 2025



HB 123 – Criminal procedure; pretrial proceedings in capital offense cases where the death penalty is sought when the accused has an intellectual disability; provide

- OCGA Title 17
- Establishes pretrial process in capital cases for determining whether a defendant has an intellectual disability, which, if found, bars the death penalty, and updates related procedures and verdict options.
- Signed by Governor: May 13, 2025
- Effective Date: May 13, 2025



HB 176 – Out of Time Appeals

Appeal and error; judgments deemed directly appealable; change a provision

- OCGA Title 5
- Permits a defendant to move for leave to file an out-of-time motion for new trial or notice of appeal within 100 days from the expiration of the time period for the filing of such motion.
- Effective Date: May 14, 2025



HB 177 – Protections for Household Pets

Domestic relations; protection for household pets in both family violence and dating violence protective orders; provide

- OCGA § 19-13-3; 19-13A-4
- Establishes protections for household pets in family violence and dating violence protective orders
- Effective Date: July 1, 2025



HB 222 – Bonds and Recognizances

Criminal procedure; inclusion of certain contact information on bonds and recognizances; require

- OCGA § 17-6-73
- Adds name, e-mail address, and phone number of the principal and each surety to every bond or recognizance given to secure the appearance of any person in any criminal proceeding
 - Currently, only mailing address is required
- Effective Date: July 1, 2025



HB 268 – School Safety

Education; safety, health, and well-being of students and school communities; provide

- OCGA Titles 15, 20, and 38
- “Ricky and Alyssa’s Law” improves school safety, student record sharing, behavioral health coordination, and emergency response systems across Georgia public schools.
- Signed by Governor: April 28, 2025
- Effective Date: April 28, 2025



HB 296 – Electronic Format Driver’s License

Motor vehicles; presentation of a driver’s license in a certain electronic format; provisions

- OCGA § 40-5-29
- Requires law enforcement to accept a driver’s license in electronic format when presented on a wireless communications device as sufficient compliance with Code section; does not require electronic format when presented in physical format
 - Law enforcement must have proper equipment to verify by 7/1/27
 - Provides for exceptions to require DL be presented in physical format
- Effective Date: July 1, 2025



HB 392 – Georgia Tax Court

Georgia Tax Court; certain events; revise dates

- OCGA Title 15, Chapter 5B
- Adjusts start date for the Georgia Tax Court from 8/1/26 to 7/1/26
 - CA ratified during 2024 election cycle
- Initial term of Chief Court Judge begins 4/1/26 and may begin administrative duties for establishing the court
- Effective Date: July 1, 2025



HB 406 – Judicial Retirement System

Judicial Retirement System; increase retirement age of superior court judges first taking office on or after July 1, 2026

- OCGA Title 47, Chapter 23
- This bill increases the retirement age of superior court judges to 65 years old and provides for the calculation of retirement benefits for individuals under certain circumstances
- This bill increases retirement age of superior court judges first taking office on or after July 1, 2025
- Effective Date: May 14, 2025



Behavioral Health Reform & Innovation Commission

- **SB 132** - Insanity and Mental Incapacity; hearing before a court orders an evaluation of the mental competency of an accused person to stand trial
 - Requires hearings before ordering mental competency evaluations, streamlines procedures for nonviolent misdemeanor cases, and authorizes dismissal of charges in certain case where competency cannot be restored
 - Establishes restoration process for nonviolent misdemeanor cases
 - Signed by Governor: May 14, 2025
 - Effective Date: July 1, 2025



Behavioral Health Reform & Innovation Commission *continued*

- **HB 36** - Guardian and ward; revise list of providers who are authorized to participate in the processes for appointment of a guardian for an adult
 - Appointment of emergency conservators and guardians for adults
 - Signed by Governor: May 12, 2025
 - Effective Date: July 1, 2025
- **SB 233** - Behavioral Health Reform and Innovation Commission; revise the subcommittees
 - Signed by Governor: May 14, 2025
 - Effective Date: May 14, 2025



HB 67 - Amended FY 2025 State Budget

- Supplemental appropriations (AFY25)
- July 1, 2024 – June 30, 2025
- Total: \$40.5 billion (12.2% increase)
- Section 6 - Judicial Council - \$23,703,087
- Final passage: March 3, 2025
- Signed by Governor/Effective Date: March 6, 2025



HB 68 - FY 2026 State Budget

- State Fiscal Year July 1, 2025 – June 30, 2026 (FY26)
- Total: \$37.8 billion (4.4% increase over original FY25)
- Section 6 - Judicial Council
 - Administrative Office of the Courts & Other Programs
 - Council of Accountability Court Judges
 - Certification Officer position
 - Resource Coordinator
- Section 30 – GBI/CJCC
 - Training Coordinator position and implementation of Juvenile Treatment Courts per HB 873 (2024)
 - Increased funding for new and existing Accountability & Juvenile Treatment Courts
- Final passage: April 4, 2025
- Effective Date: July 1, 2025



Superior Court Judgeships

- **HB 55** - Alapaha Judicial Circuit (provide third judge)
- **SB 88** - Douglas Judicial Circuit (provide fourth judge)
- **SB 145** - Augusta Judicial Circuit (provide sixth judge)
- Terms begin January 1, 2026



Study Committees Appointed

- Senate Study Committee on Additional Services and Resources for Transition Age Youth in Foster Care
- Senate Study Committee on Recovery Residences
- House Study Committee on Affordability & Accessibility of Georgia's Legitimation Process



Did Not Pass - But Remain Eligible for 2026

- HB 225 & HB 651 - School zone cameras
- HB 447 - Gift Card Theft (Misdemeanor)
- HB 535 - Probation/credit for time served
- SB 173 - Uncontested civil motions in superior and state courts
- SB 218 - PAQC amendments



Legislation

The Office of Governmental Affairs and Trial Court Liaison provides legislative services to the Judicial Council and Georgia's trial and appellate courts.

Weekly Legislative Reports

2025

- Week 1 – 1/17/25
- Week 2 – 1/24/25
(no report)
- Week 3 – 1/31/25
- Week 4 – 2/7/25
- Week 5 – 2/14/25
- Week 6 – 2/21/25
- Week 7 – 2/28/25
- Week 8 – 3/7/25
- Week 9 – 3/14/25
- Week 10 – 3/21/25
- Week 11 – 3/28/25
- Week 12 – 4/4/25



Legislative Tracking

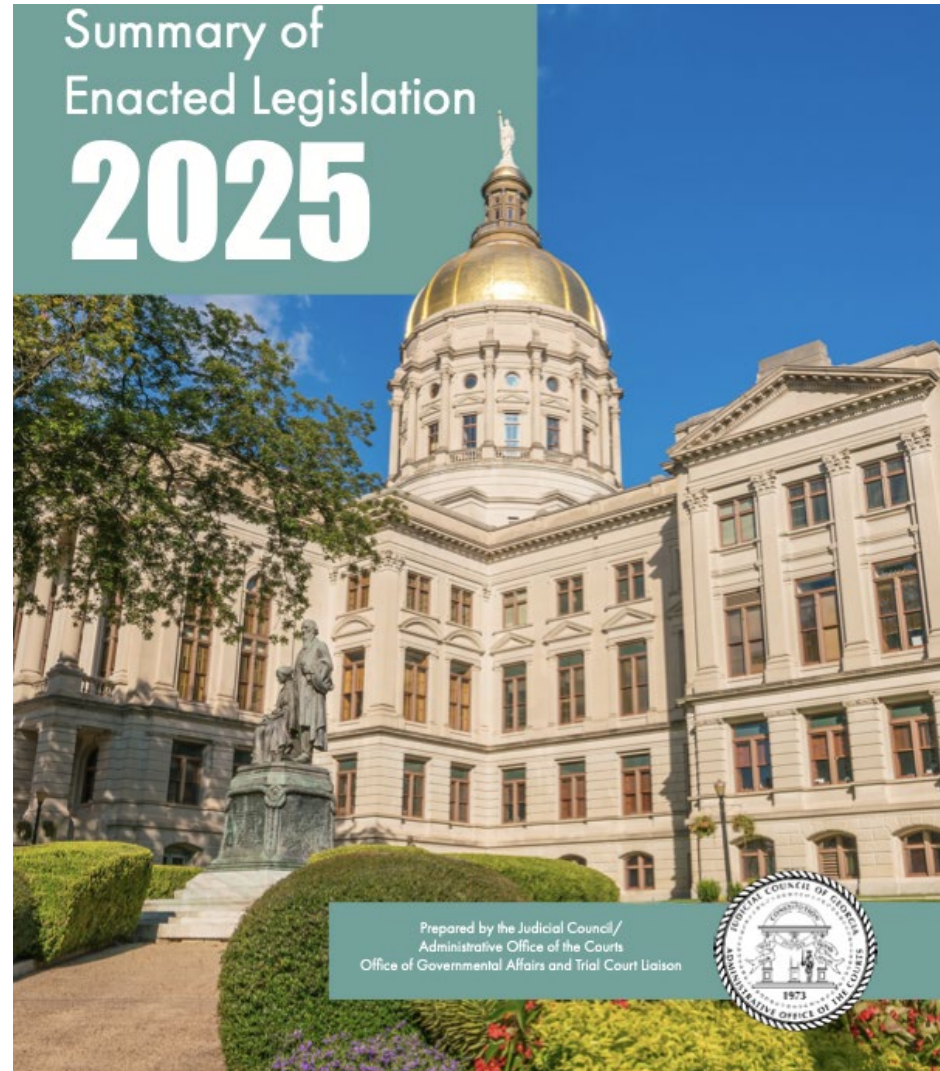


Enacted Legislation



Standing Committee on Legislation

<https://georgiacourts.gov/enacted-legislation/>



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Back Under the Gold Dome

**January 12, 2026
Day 1 / Year 2**

