

House Bill 365

By: Representative Jamieson of the 22<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,  
2 so as to provide for the minimum annual salary of members of county governing authorities;  
3 to provide for longevity increases; to authorize certain expense allowances; to authorize the  
4 enactment of local laws providing for greater annual salaries than are specified by general  
5 law; to authorize a compensation supplement for officials completing certain training; to  
6 define terms; to provide a procedure for effectuating the provisions of this Act; to provide  
7 sanctions for failure to comply with certain required training for elected members of county  
8 governing authorities; to provide for construction and applicability; to provide an effective  
9 date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

12 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended  
13 by striking Code Section 36-5-25, relating to compensation of the county commissioner in  
14 each county administered by a single county commissioner, and inserting in its place a new  
15 Code Section 36-5-25 to read as follows:

16 "36-5-25.

17 (a) As used in this Code section, the term 'member of a county governing authority' shall  
18 also include an elected county chief executive officer and a mayor of a consolidated  
19 government.

20 (b)(1) Except as otherwise provided in Code Section 36-5-23, in every county of this  
21 state in which the county government is administered by a single county commissioner  
22 or a board consisting of more than one individual with a chairperson or elected chief  
23 executive officer who, by law, serves full time, such sole county commissioner, full-time  
24 chairperson, full-time elected chief executive officer, or full-time mayor of a  
25 consolidated government shall be entitled to receive a minimum annual salary equal in  
26 amount to 5 percent more than the minimum annual salary provided for the sheriff of any

1 such county pursuant to the provisions of paragraphs (1) and (2) of subsection (a) of Code  
2 Section 15-16-20; provided, however, that a local law may provide for a greater annual  
3 salary than such minimum salary or may provide an expense allowance in addition to  
4 such minimum salary or in addition to such greater salary; provided, further, that any  
5 such county commissioner may by resolution elect to receive a salary of lesser amount  
6 which is provided by a local law.

7 (2) Any other law to the contrary notwithstanding, in every county of this state in which  
8 the county governing authority consists of more than one individual, each part-time  
9 member of such county governing authority shall be entitled to receive a minimum  
10 annual salary equal in amount to 20 percent of the minimum annual salary provided for  
11 the sheriff of any such county pursuant to paragraphs (1) and (2) of subsection (a) of  
12 Code Section 15-16-20, payable in equal monthly installments from the funds of such  
13 county. The minimum salary amounts provided for in this paragraph for part-time  
14 members of a county governing authority shall be increased by 10 percent for any  
15 part-time member of a county governing authority while serving as chairperson or elected  
16 chief executive officer of a county governing authority.

17 ~~(b) The provisions of subsection (a) of this Code section shall not affect any automobile~~  
18 ~~allowance provided for any such county commissioner pursuant to local law.~~

19 (c) Minimum salaries specified in subsection (b) of this Code section and as otherwise  
20 authorized by general or local law for the members of a county governing authority shall  
21 be increased by multiplying said amounts by the percentage which equals five times the  
22 number of four-year terms of office completed by any member of a county governing  
23 authority after December 31, 2000, effective the first day of January following the  
24 completion of each such period of service. Any member of a county governing authority  
25 who is elected to serve a two-year term of office shall be entitled to the increase in  
26 compensation provided by this subsection following the completion of the second two-year  
27 term of office served and at the end of each alternating two-year term of office thereafter.

28 (d)(1) Notwithstanding subsection (b) of this Code section, a local law may provide for  
29 a greater annual salary than such minimum salary or may provide an automobile or  
30 expense allowance in addition to such minimum salary or in addition to such greater  
31 salary.

32 (2) All local laws in effect on January 1, 2001, or enacted thereafter affecting  
33 compensation for any member of a county governing authority shall be of full force and  
34 effect except where the same provides for compensation lower than provided in this Code  
35 section, in which event this Code section shall prevail. This Code section shall not be  
36 construed to reduce the compensation of any member of a county governing authority in

1 office on January 1, 2001, nor shall compensation for any member be decreased during  
2 any term of office.

3 (e) In addition to any other compensation to which a member of a county governing  
4 authority is entitled under general or local law, any such official who has been awarded a  
5 certificate from the University of Georgia, evidencing his or her successful completion of  
6 the voluntary course of training administered by the Carl Vinson Institute of Government  
7 resulting in designation as a certified county commissioner, shall be entitled to a  
8 compensation supplement equal to 20 percent of the compensation otherwise paid to such  
9 official; provided, however, that no official shall be entitled to a supplement of more than  
10 \$4,800.00 per annum. With regard to members of the governing authority of a  
11 consolidated government, designation either as a certified county commissioner or a  
12 certified municipal official by the Carl Vinson Institute of Government shall be acceptable.  
13 (f) Except as to counties administered by a single county commissioner, the provisions of  
14 this Code section shall not become effective in any county until adoption of a resolution  
15 of the county governing authority implementing the provisions of this Code section."

## 16 SECTION 2.

17 Said title is further amended by inserting a new subsection at the end of Code Section  
18 36-20-4, relating to training of elected members of county governing authorities, to be  
19 designated subsection (c), to read as follows:

20 "(c) Any member of a county governing authority who fails to complete the course of  
21 training required by this chapter shall not be eligible to receive the longevity pay increases  
22 authorized by subsection (c) of Code Section 36-5-25; provided, however, that this  
23 subsection shall not apply to any person granted a training waiver pursuant to subsection  
24 (d) of Code Section 36-20-5 or to any person who completes equivalent training approved  
25 or offered by the academy as a condition of such waiver."

## 26 SECTION 3.

27 This Act shall become effective on January 1, 2003.

## 28 SECTION 4.

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