

House Bill 302 (FLOOR SUBSTITUTE)

By: Representatives Coleman of the 142nd and Byrd of the 170th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts; to amend
2 Title 21 of the Official Code of Georgia Annotated, relating to elections; to amend Article
3 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to general
4 provisions relative to coroners; to amend Article 3 of Chapter 5 of Title 48 of the Official
5 Code of Georgia Annotated, relating to county tax officials and administration, so as to
6 change the provisions relating to the compensation of sheriffs, clerks of the superior courts,
7 judges of the probate courts, tax collectors and tax commissioners, chief deputy tax
8 commissioners, chief magistrates, magistrates, clerks of superior or state courts serving as
9 clerks of magistrate courts, magistrates or chief magistrates serving as clerks of the
10 magistrate court, registrars and deputy registrars, and coroners of certain counties; to amend
11 Code Section 1-3-1 of the Official Code of Georgia Annotated, relating to construction of
12 statutes generally, so as to revise certain provisions regarding the effective date of a census
13 for certain purposes; to correct certain cross-references; to provide for other matters relative
14 to the foregoing; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

17 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by striking
18 Code Section 15-6-88, relating to minimum salaries for clerks of the superior courts, and
19 inserting in its place the following:

20 "15-6-88.

21 (a) Any other provision of law to the contrary notwithstanding, the minimum annual salary
22 of each clerk of the superior court in each county of this state shall be fixed according to
23 the population of the county in which he or she serves, as determined by the United States
24 decennial census of 1990 or any future such census. Except as otherwise provided in
25 subsection (b) of this Code section, each such clerk shall receive an annual salary, payable
26 in equal monthly installments from the funds of the county, of not less than the amount
27 fixed in the following schedule:

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1	<u>Population</u>	<u>Minimum Salary</u>
2	0 — 5,999	\$ 21,780.00 <u>26,433.73</u>
3	6,000 — 11,889	29,910.00 <u>36,300.86</u>
4	11,890 — 19,999	33,882.00 <u>41,121.55</u>
5	20,000 — 28,999	36,301.00 <u>44,057.42</u>
6	29,000 — 38,999	38,720.00 <u>46,993.29</u>
7	39,000 — 49,999	41,142.00 <u>49,932.80</u>
8	50,000 — 74,999	43,563.00 <u>52,871.09</u>
9	75,000 — 99,999	44,772.00 <u>54,338.42</u>
10	100,000 — 149,999	45,982.00 <u>55,806.96</u>
11	150,000 — 199,999	47,192.00 <u>57,275.49</u>
12	200,000 — 249,999	48,402.00 <u>58,744.04</u>
13	250,000 — 299,999	66,936.00 <u>81,238.19</u>
14	300,000 — 399,999	73,890.00 <u>89,678.05</u>
15	400,000 — 499,999	76,890.00 <u>93,319.06</u>
16	500,000 or more	79,890.00 <u>96,960.07</u>

17 (b) On and after July 1, ~~1998~~ 2001, whenever the employees in the classified service of
 18 the state merit system receive a cost-of-living increase or general performance based
 19 increase of a certain percentage or a certain amount, the amounts fixed in the minimum
 20 salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, and in
 21 subsection (b) of Code Section 15-10-105, or the amounts derived by increasing each of
 22 said amounts through the application of longevity increases pursuant to subsection (a) of
 23 Code Section 15-6-90, where applicable shall be increased by the same percentage or same
 24 amount applicable to such state employees. If the cost-of-living increase or general
 25 performance based increase received by state employees is in different percentages or
 26 different amounts as to certain categories of employees, the amounts fixed in the minimum
 27 salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, and in
 28 subsection (b) of Code Section 15-10-105, or the amounts derived through the application
 29 of longevity increases, shall be increased by a percentage or an amount not to exceed the
 30 average percentage or average amount of the general increase in salary granted to the state
 31 employees. The Office of Planning and Budget shall calculate the average percentage
 32 increase or average amount increase when necessary. The periodic changes in the amounts
 33 fixed in the minimum salary schedule in subsection (a) of this Code section, in Code
 34 Section 15-6-89, in subsection (b) of Code Section 15-10-105, or the amounts derived
 35 through the application of longevity increases, as authorized by this subsection shall
 36 become effective on the first day of January following the date that the cost-of-living

1 increases or general performance based increases received by state employees become
 2 effective; provided, however, that if the cost-of-living increases received by state
 3 employees become effective on January 1, such periodic changes in the amounts fixed in
 4 the minimum salary schedule in subsection (a) of this Code section, in Code Section
 5 15-6-89, and in subsection (b) of Code Section 15-10-105, or the amounts derived by
 6 increasing each of said amounts through the application of longevity increases pursuant to
 7 subsection (a) of Code Section 15-6-90, shall become effective on the same date that the
 8 cost-of-living increases or general performance based increases received by state
 9 employees become effective.

10 (c) This Code section shall not be construed to reduce the salary of any clerk of the
 11 superior court in office on July 1, 1991; provided, however, that successors to such clerks
 12 in office on July 1, 1991, shall be governed by the provisions of subsections (a) and (b) of
 13 this Code section.

14 (d) The county governing authority may supplement the minimum annual salary of the
 15 clerk of the superior court in such amount as it may fix from time to time; but no clerk's
 16 compensation supplement shall be decreased during any term of office. Any prior
 17 expenditure of county funds to supplement the clerk's salary in the manner authorized by
 18 this subsection is ratified and confirmed. Nothing contained in this subsection shall
 19 prohibit the General Assembly by local law from supplementing the annual salary of the
 20 clerk."

21 **SECTION 2.**

22 Said title is further amended by adding a new Code section immediately following Code
 23 Section 15-6-88.1, to be designated Code Section 15-6-88.2, to read as follows:

24 "15-6-88.2.

25 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
 26 authority of each county is authorized to provide as contingent expenses for the operation
 27 of the office of clerk of the superior court, and payable from county funds, a monthly
 28 expense allowance of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
0 — 11,889	\$ 100.00
11,890 — 74,999	200.00
75,000 — 249,999	300.00
250,000 — 499,999	400.00
500,000 or more	500.00"

SECTION 3.

Said title is further amended by striking Code Section 15-6-89, relating to additional remuneration for clerks of the superior courts for certain services, and inserting in its place the following:

"15-6-89.

In addition to the minimum salary provided in Code Section 15-6-88 or any other salary provided by any applicable general or local law, each clerk of the superior court of any county who also serves as clerk of a state court, city court, juvenile court, or civil court under any applicable general or local law of this state shall receive for his or her services in such other court a salary of not less than ~~\$236.25~~ \$286.73 per month, to be paid from the funds of the county. In the event any such court for which a clerk of the superior court is serving as clerk is abolished, the clerk of the superior court shall not be entitled to any salary heretofore received for service in such court."

SECTION 4.

Said title is further amended by striking subsection (a) of Code Section 15-9-63, relating to the schedule of minimum salaries of judges of the probate courts, and inserting in its place the following:

"(a)(1) Any other laws to the contrary notwithstanding, the minimum annual salary of each judge of the probate court in this state shall be fixed according to the population of the county in which he or she serves, as determined by the United States decennial census of 1990 or any future such census. Each such judge of the probate court shall receive an annual salary, payable in equal monthly installments from the funds of his or her county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 — 5,999	\$ 20,511.00 <u>24,893.57</u>
6,000 — 11,889	27,083.00 <u>32,869.82</u>
11,890 — 19,999	30,084.00 <u>36,512.04</u>
20,000 — 28,999	33,235.00 <u>40,336.31</u>
29,000 — 38,999	36,769.00 <u>44,625.42</u>
39,000 — 49,999	38,783.00 <u>47,069.75</u>
50,000 — 74,999	41,737.00 <u>50,654.92</u>
75,000 — 99,999	45,973.00 <u>55,796.04</u>
100,000 — 149,999	50,210.00 <u>60,938.35</u>
150,000 — 199,999	55,936.00 <u>67,887.82</u>
200,000 — 249,999	61,662.00 <u>74,837.29</u>

1	250,000 — 299,999	64,435.00 <u>78,202.80</u>
2	300,000 — 399,999	67,209.00 <u>81,569.52</u>
3	400,000 — 499,999	70,209.00 <u>85,210.53</u>
4	500,000 or more	73,209.00 <u>88,851.53</u>

5 (2) On and after July 1, ~~1998~~ 2001, whenever the employees in the classified service of
6 the state merit system receive a cost-of-living increase or general performance based
7 increase of a certain percentage or a certain amount, the amounts fixed in the minimum
8 salary schedule in paragraph (1) of this subsection and in Code Section 15-9-64, or the
9 amounts derived by increasing each of said amounts through the application of longevity
10 increases pursuant to Code Section 15-9-65, where applicable, shall be increased by the
11 same percentage or same amount applicable to such state employees. If the cost-of-living
12 increase or general performance based increase received by state employees is in different
13 percentages or different amounts as to certain categories of employees, the amounts fixed
14 in the minimum salary schedule in paragraph (1) of this subsection, and in Code Section
15 15-9-64, or the amounts derived through the application of longevity increases, shall be
16 increased by a percentage or an amount not to exceed the average percentage or average
17 amount of the general increase in salary granted to the state employees. The Office of
18 Planning and Budget shall calculate the average percentage increase or average amount
19 increase when necessary. The periodic changes in the amounts fixed in the minimum
20 salary schedule in paragraph (1) of this subsection, and in Code Section 15-9-64, or the
21 amounts derived through the application of longevity increases, as authorized by this
22 paragraph shall become effective on the first day of January following the date that the
23 cost-of-living increases or general performance based increases received by state
24 employees become effective; provided, however, that if the cost-of-living increases
25 received by state employees become effective on January 1, such periodic changes in the
26 amounts fixed in the minimum salary schedule in paragraph (1) of this subsection and in
27 Code Section 15-9-64, or the amounts derived by increasing each of said amounts
28 through the application of longevity increases pursuant to Code Section 15-9-65, where
29 applicable, as authorized by this paragraph shall become effective on the same date that
30 the cost-of-living increases or general performance based increases received by state
31 employees become effective.

32 (3) The county governing authority may supplement the minimum annual salary of the
33 judge of the probate court in such amount as it may fix from time to time; but no probate
34 judge’s compensation supplement shall be decreased during any term of office. Any
35 prior expenditure of county funds to supplement the probate judge’s salary in the manner
36 authorized by this paragraph is ratified and confirmed. Nothing contained in this

1 paragraph shall prohibit the General Assembly by local law from supplementing the
2 annual salary of the probate judge."

3 **SECTION 5.**

4 Said title is further amended by striking Code Section 15-9-63.1, relating to compensation
5 for services as magistrate or chief magistrate, and inserting in its place the following:

6 "15-9-63.1.

7 (a) Beginning ~~January 1, 2000~~ July 1, 2001, in any county in which the probate judge
8 serves as chief magistrate or magistrate, he or she shall be compensated for such services
9 based on a minimum annual amount of ~~\$8,500.00~~ \$10,316.20; provided, however, that
10 compensation for a probate judge shall not be reduced during his or her term of office.

11 (b) On and after ~~January 1, 2000~~ July 1, 2001, whenever the employees in the classified
12 service of the state merit system receive a cost-of-living increase or general performance
13 based increase of a certain percentage or a certain amount, the amount provided in
14 subsection (a) of this Code section shall be increased by the same percentage or same
15 amount applicable to such state employees. If the cost-of-living increase or general
16 performance based increase received by state employees is in different percentages or
17 different amounts as to certain categories of employees, the amount provided in subsection
18 (a) of this Code section shall be increased by a percentage or an amount not to exceed the
19 average percentage or average amount of the general increase in salary granted to the state
20 employees. The Office of Planning and Budget shall calculate the average percentage
21 increase or average amount increase when necessary. The periodic changes in the amount
22 provided in subsection (a) of this Code section, as authorized by this subsection, shall
23 become effective on the first day of ~~January~~ July following the date that the cost-of-living
24 increases or general performance based increases received by state employees become
25 effective; provided, however, that if such increases received by state employees become
26 effective on ~~January 1~~ July 1, such periodic changes in the amount provided in
27 subsection (a) of this Code section, as authorized by this subsection, shall become effective
28 on the same date that the cost-of-living increases or general performance based increases
29 received by state employees become effective.

30 (c) On and after ~~January 1, 2000~~ July 1, 2001, the amounts provided in subsections (a)
31 and (b) of this Code section shall be increased by multiplying said amounts by the
32 percentage which equals 5 percent times the number of completed four-year terms of office
33 served by any probate judge serving as a chief magistrate or magistrate where such terms
34 have been completed after December 31, 1999, effective the first day of January following
35 the completion of each such period of service."

SECTION 6.

Said title is further amended by striking Code Section 15-9-64, relating to supplementation of minimum salaries of judges of the probate courts, and inserting in its place the following:
"15-9-64.

The amount of minimum salary provided in Code Section 15-9-63 for the judges of the probate courts of any county presently on a salary who also hold and conduct elections or are responsible for conducting elections for members of the General Assembly under any applicable general or local law of this state shall be increased by ~~\$236.25~~ \$286.73 per month. The amount of the minimum salary provided in Code Section 15-9-63 for the judges of the probate courts on a salary who are responsible for traffic cases under any general or local law of this state shall also be increased by ~~\$295.25~~ \$358.34 per month."

SECTION 7.

Said title is further amended by adding a new Code section immediately following Code Section 15-9-64, to be designated Code Section 15-9-64.1, to read as follows:

"15-9-64.1.

In addition to any salary, fees, or expenses now or hereafter provided by law, the governing authority of each county is authorized to provide as contingent expenses for the operation of the office of judge of the probate court, and payable from county funds, a monthly expense allowance of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
0 — 11,889	\$ 100.00
11,890 — 74,999	200.00
75,000 — 249,999	300.00
250,000 — 499,999	400.00
500,000 or more	500.00"

SECTION 8.

Said title is further amended by striking Code Section 15-10-23, relating to minimum compensation of magistrates, and inserting in its place the following:

"15-10-23.

(a)(1) As used in this Code section, the term 'full-time capacity' means ~~a work week of no less than 40 hours~~ in the case of a chief magistrate means a chief magistrate who regularly exercises the powers of a magistrate as set forth in Code Section 15-10-2 at least 40 hours per workweek. In the case of all other magistrates, such term means a magistrate who was appointed to a full-time magistrate position and who regularly

1 exercises the powers of a magistrate as set forth in Code Section 15-10-2 at least 40 hours
2 per workweek.

3 (2) Unless otherwise provided by local law and except as otherwise provided in
4 paragraphs (2) and (3) of this subsection, effective January 1, 1996 July 1, 2001, the chief
5 magistrate of each county who serves in a full-time capacity other than those counties
6 where the probate judge serves as chief magistrate shall receive a minimum annual salary
7 of the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 — 5,999	\$ 10,397.00
6,000 — 11,889	14,510.00
11,890 — 19,999	16,318.00
20,000 — 28,999	18,130.00
29,000 — 38,999	20,772.00
39,000 — 49,999	22,285.00
50,000 — 74,999	23,819.00
75,000 — 99,999	25,015.00
100,000 — 149,999	29,891.00
150,000 — 199,999	31,507.00
200,000 — 249,999	38,386.00
250,000 — 299,999	39,168.00
300,000 or more	41,818.00

22 ~~The minimum salary for each affected chief magistrate shall be fixed from the above~~
23 ~~table according to the population of the county in which the chief magistrate serves as~~
24 ~~determined by the United States decennial census of 1990 or any future such census. The~~
25 ~~county governing authority may supplement the minimum annual salary of the chief~~
26 ~~magistrate in such amount as it may fix from time to time, but no chief magistrate's~~
27 ~~compensation or supplement shall be decreased during any term of office.~~

28 ~~(2) Unless otherwise provided by local law, effective January 1, 1997, the chief~~
29 ~~magistrate of each county who serves in a full-time capacity other than those counties~~
30 ~~where the probate judge serves as chief magistrate shall receive a minimum annual salary~~
31 ~~of the amount fixed in the following schedule:~~

<u>Population</u>	<u>Minimum Salary</u>
0 — 5,999	\$ 13,882.00
6,000 — 11,889	18,720.00
11,890 — 19,999	20,894.00

1	20,000 — 28,999	23,135.00
2	29,000 — 38,999	25,952.00
3	39,000 — 49,999	27,560.00
4	50,000 — 74,999	29,578.00
5	75,000 — 99,999	31,970.00
6	100,000 — 149,999	36,201.00
7	150,000 — 199,999	39,433.00
8	200,000 — 249,999	45,297.00
9	250,000 — 299,999	46,861.00
10	300,000 or more	49,361.00

11 ~~The minimum salary for each affected chief magistrate shall be fixed from the above~~
 12 ~~table according to the population of the county in which the chief magistrate serves as~~
 13 ~~determined by the United States decennial census of 1990 or any future such census. The~~
 14 ~~county governing authority may supplement the minimum annual salary of the chief~~
 15 ~~magistrate in such amount as it may fix from time to time; but no chief magistrate's~~
 16 ~~compensation or supplement shall be decreased during any term of office.~~

17 (3) ~~Unless otherwise provided by local law, effective January 1, 1998, the chief~~
 18 ~~magistrate of each county who serves in a full-time capacity other than in those counties~~
 19 ~~where the judge of the probate court serves as chief magistrate shall receive a minimum~~
 20 ~~annual salary of the amount fixed in the following schedule:~~

21	<u>Population</u>	<u>Minimum Salary</u>
22	0 — 5,999	\$ 18,783.00 <u>24,893.57</u>
23	6,000 — 11,889	24,801.00 <u>32,869.82</u>
24	11,890 — 19,999	27,549.00 <u>36,512.04</u>
25	20,000 — 28,999	31,365.00 <u>40,336.31</u>
26	29,000 — 38,999	33,671.00 <u>44,625.42</u>
27	39,000 — 49,999	35,515.00 <u>47,069.75</u>
28	50,000 — 74,999	38,221.00 <u>50,654.92</u>
29	75,000 — 99,999	42,100.00 <u>55,796.04</u>
30	100,000 — 149,999	45,980.00 <u>60,938.35</u>
31	150,000 — 199,999	51,223.00 <u>67,887.82</u>
32	200,000 — 249,999	56,467.00 <u>74,837.29</u>
33	250,000 — 299,999	59,007.00 <u>78,202.80</u>
34	300,000 or more — <u>399,999</u>	61,546.00 <u>81,569.52</u>
35	<u>400,000 — 499,999</u>	<u>85,210.53</u>

1	<u>500,000 or more</u>	<u>88,851.53</u>
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2 ~~The minimum salary for each affected chief magistrate shall be fixed from the above~~
3 ~~table according to the population of the county in which the chief magistrate serves as~~
4 ~~determined by the United States decennial census of 1990 or any future such census. The~~
5 ~~county governing authority may supplement the minimum annual salary of the chief~~
6 ~~magistrate in such amount as it may fix from time to time; but no chief magistrate's~~
7 ~~compensation supplement shall be decreased during any term of office.~~

8 ~~(b) All other chief magistrates shall receive a minimum monthly salary equal to the hourly~~
9 ~~rate which a full-time chief magistrate of the county would receive multiplied by the~~
10 ~~number of actual working hours of the chief magistrate.~~

11 ~~(c) Unless otherwise provided by local law, each magistrate who serves in a full-time~~
12 ~~capacity other than the chief magistrate shall receive a minimum monthly salary of~~
13 ~~\$2,812.00 per month or 90 percent of the monthly salary of the chief magistrate, whichever~~
14 ~~is less. All other magistrates shall receive a minimum monthly salary of the lesser of~~
15 ~~\$16.22 per hour or 90 percent of the monthly salary of the chief magistrate; provided,~~
16 ~~however, that notwithstanding any other provisions of this subsection, no magistrate who~~
17 ~~serves in less than a full-time capacity shall receive a minimum monthly salary of less than~~
18 ~~\$432.64. The county governing authority may supplement the minimum annual salary of~~
19 ~~each magistrate in such amount as it may fix from time to time; but no such magistrate's~~
20 ~~compensation supplement shall be decreased during any term of office. Nothing contained~~
21 ~~in this subsection shall prohibit the General Assembly by local law from supplementing the~~
22 ~~annual salary of any magistrates.~~

23 ~~(d) Magistrates shall be compensated solely on a salary basis and not in whole or in part~~
24 ~~from fees; and the salaries and supplements of all magistrates shall be paid in equal~~
25 ~~monthly installments from county funds.~~

26 ~~(e) The General Assembly may by local law fix the compensation of any or all of a~~
27 ~~county's magistrates.~~

28 ~~(f) Notwithstanding the provisions of subsection (a) of this Code section, unless otherwise~~
29 ~~provided by local law, effective January 1, 1996, in any county in which more than 70~~
30 ~~percent of the population according to the United States decennial census of 1990 or any~~
31 ~~future such census resides on property of the United States government which is exempt~~
32 ~~from taxation by this state, the population of the county for purposes of subsection (a) of~~
33 ~~this Code section shall be deemed to be the total population of the county minus the~~
34 ~~population of the county which resides on property of the United States government.~~

35 ~~(g) During the term of office of any chief magistrate or magistrate whose salary is~~
36 ~~supplemented by the county governing authority, the chief magistrate or magistrate shall~~
37 ~~be entitled to the greater of the current salary, including any supplement by the county~~

1 ~~governing authority, or the minimum annual salary stated in subsection (a) of this Code~~
2 ~~section but in no event to both.~~

3 ~~(h) This Code section shall not apply to any chief magistrate who is also serving as a judge~~
4 ~~of a civil court which is provided for in Article VI, Section I, Paragraph I of the~~
5 ~~Constitution of the State of Georgia of 1983. In such case, the salary of such chief~~
6 ~~magistrate shall be as provided by the local governing authority of the county.~~

7 ~~(i) The salaries and supplements of senior magistrates shall be paid from county funds at~~
8 ~~a per diem rate equal to the compensation paid to the magistrate of the county; provided,~~
9 ~~however, that the minimum annual and monthly salaries provided for in this Code section~~
10 ~~shall not necessarily apply to senior magistrates.~~

11 ~~(j) The amounts provided in subsections (a) and (c) of this Code section, as increased by~~
12 ~~subsection (k) of this Code section, shall be increased by multiplying said amounts by the~~
13 ~~percentage which equals 5 percent times the number of completed four-year terms of office~~
14 ~~served by any chief magistrate or magistrate where such terms have been completed after~~
15 ~~December 31, 1995, effective the first day of January following the completion of each~~
16 ~~such period of service.~~

17 ~~(k) On and after January 1, 1996, whenever the employees in the classified service of the~~
18 ~~state merit system receive a cost-of-living increase or general performance based increase~~
19 ~~of a certain percentage or a certain amount, the amounts provided in subsections (a) and~~
20 ~~(c) of this Code section and the amounts derived by increasing each of said amounts~~
21 ~~through the application of longevity increases pursuant to subsection (j) of this Code~~
22 ~~section shall be increased by the same percentage or same amount applicable to such state~~
23 ~~employees. If the cost-of-living increase or general performance based increase received~~
24 ~~by state employees is in different percentages or different amounts as to certain categories~~
25 ~~of employees, the amounts provided in subsections (a) and (c) of this Code section and the~~
26 ~~amounts derived by increasing each of said amounts through the application of longevity~~
27 ~~increases pursuant to subsection (j) of this Code section shall be increased by a percentage~~
28 ~~or an amount not to exceed the average percentage or average amount of the general~~
29 ~~increase in salary granted to the state employees. The Office of Planning and Budget shall~~
30 ~~calculate the average percentage increase or average amount increase when necessary. The~~
31 ~~periodic changes in the amounts provided in subsections (a) and (c) of this Code section~~
32 ~~and the amounts derived by increasing each of said amounts through the application of~~
33 ~~longevity increases pursuant to subsection (j) of this Code section, as authorized by this~~
34 ~~subsection, shall become effective on the first day of January following the date that the~~
35 ~~cost-of-living increases or general performance based increases received by state~~
36 ~~employees become effective; provided, however, that if the cost-of-living increases~~
37 ~~received by state employees become effective on January 1, such periodic changes in the~~

1 ~~amounts provided in subsections (a) and (c) of this Code section and the amounts derived~~
2 ~~by increasing each of said amounts through the application of longevity increases pursuant~~
3 ~~to subsection (j) of this Code section, as authorized by this subsection, shall become~~
4 ~~effective on the same date that the cost-of-living increases or general performance based~~
5 ~~increases received by state employees become effective.~~

6 The minimum salary for each affected chief magistrate shall be fixed from the table in
7 this subsection according to the population of the county in which the chief magistrate
8 serves as determined by the United States decennial census of 1990 or any future such
9 census. Notwithstanding the provisions of this subsection, unless otherwise provided by
10 local law, effective January 1, 1996, in any county in which more than 70 percent of the
11 population according to the United States decennial census of 1990 or any future such
12 census resides on property of the United States government which is exempt from
13 taxation by this state, the population of the county for purposes of this subsection shall
14 be deemed to be the total population of the county minus the population of the county
15 which resides on property of the United States government.

16 (3) All other chief magistrates shall receive a minimum monthly salary equal to the
17 hourly rate that a full-time chief magistrate of the county would receive according to
18 paragraph (2) of this subsection multiplied by the number of actual hours worked by the
19 chief magistrate as certified by the chief magistrate to the county governing authority.

20 (4) Unless otherwise provided by local law, each magistrate who serves in a full-time
21 capacity other than the chief magistrate shall receive a minimum monthly salary of
22 \$3,093.00 per month or 90 percent of the monthly salary that a full-time chief magistrate
23 would receive according to paragraph (2) of this subsection, whichever is less.

24 (5) All magistrates other than chief magistrates who serve in less than a full-time
25 capacity or on call shall receive a minimum monthly salary of the lesser of \$17.84 per
26 hour for each hour worked as certified by the chief magistrate to the county governing
27 authority or 90 percent of the monthly salary that a full-time chief magistrate would
28 receive according to paragraph (2) of this subsection; provided, however, that
29 notwithstanding any other provisions of this subsection, no magistrate who serves in less
30 than a full-time capacity shall receive a minimum monthly salary of less than \$475.90.

31 (6) Magistrates shall be compensated solely on a salary basis and not in whole or in part
32 from fees. The salaries and supplements of all magistrates shall be paid in equal monthly
33 installments from county funds.

34 (b) The amounts provided in subsection (a) of this Code section, as increased by the
35 supplement, if any, provided by subsection (d) of Code Section 15-10-105, shall be
36 increased by multiplying said amounts by the percentage which equals 5 percent times the
37 number of completed four-year terms of office served by any chief magistrate or magistrate

1 where such terms have been completed after December 31, 1995, effective the first day of
2 January following the completion of each such period of service.

3 (c) On and after July 1, 2001, whenever the employees in the classified service of the state
4 merit system receive a cost-of-living increase or general performance based increase of a
5 certain percentage or a certain amount, the amounts provided in subsection (a) of this Code
6 section, as increased by the supplement, if any, provided by subsection (d) of Code Section
7 15-10-105 and as increased by the application of longevity increases pursuant to subsection
8 (b) of this Code section, shall be increased by the same percentage or same amount
9 applicable to such state employees. If the cost-of-living increase or general performance
10 based increase received by state employees is in different percentages or different amounts
11 as to certain categories of employees, the amounts provided in subsection (a) of this Code
12 section, as increased by the supplement, if any, provided by subsection (d) of Code Section
13 15-10-105 and as increased by the application of longevity increases pursuant to subsection
14 (b) of this Code section, shall be increased by a percentage or an amount not to exceed the
15 average percentage or average amount of the general increase in salary granted to the state
16 employees. The Office of Planning and Budget shall calculate the average percentage
17 increase or average amount increase when necessary. The periodic changes in the amounts
18 provided in subsection (a) of this Code section, as increased by the supplement, if any,
19 provided by subsection (d) of Code Section 15-10-105 and as increased by the application
20 of longevity increases pursuant to subsection (b) of this Code section, as authorized by this
21 subsection, shall become effective on the first day of January following the date that the
22 cost-of-living increases or general performance based increases received by state
23 employees become effective; provided, however, that if the cost-of-living increases
24 received by state employees become effective on January 1, such periodic changes in the
25 amounts provided in subsection (a) of this Code section, as increased by the supplement,
26 if any, provided by subsection (d) of Code Section 15-10-105 and as increased by the
27 application of longevity increases pursuant to subsection (b) of this Code section, as
28 authorized by this subsection, shall become effective on the same date that the
29 cost-of-living increases or general performance based increases received by state
30 employees become effective.

31 (d) The county governing authority may supplement the minimum annual salary of the
32 chief or other magistrate in such amount as it may fix from time to time, but no such
33 magistrate's compensation or supplement shall be decreased during any term of office.
34 Nothing contained in this subsection shall prohibit the General Assembly by local law
35 from supplementing the annual salary of any magistrates.

36 (e) The General Assembly may by local law fix the compensation of any or all of a
37 county's magistrates. The chief magistrate or magistrate shall be entitled to the greater of

1 the compensation established by local law, including any supplement by the county
2 governing authority, or the minimum annual salary stated in subsection (a) of this Code
3 section but in no event to both.

4 (f) This Code section shall apply to any chief magistrate who is also serving as a judge of
5 a civil court which is provided for in Article VI, Section I, Paragraph I of the Constitution
6 of the State of Georgia of 1983. In such case, the salary of such chief magistrate shall be
7 as provided by the local governing authority of the county.

8 (g) The salaries and supplements of senior magistrates shall be paid from county funds at
9 a per diem rate equal to the daily rate that a full-time chief magistrate of the county would
10 receive under paragraph (2) of subsection (a) of this Code section; provided, however, that
11 the minimum annual and monthly salaries provided for in this Code section shall not apply
12 to senior magistrates."

13 **SECTION 9.**

14 Said title is further amended by adding a new Code section immediately following Code
15 Section 15-10-23, to be designated Code Section 15-10-23.1, to read as follows:

16 "15-10-23.1.

17 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
18 authority of each county is authorized to provide as contingent expenses for the operation
19 of the office of magistrate court, and payable from county funds, a monthly expense
20 allowance to each magistrate of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
0 — 11,889	\$ 100.00
11,890 — 74,999	200.00
75,000 — 249,999	300.00
250,000 — 499,999	400.00
500,000 or more	500.00"

27 **SECTION 10.**

28 Said title is further amended by striking Code Section 15-10-105, relating to selection of
29 clerks of the magistrate courts and their compensation and eligibility, and inserting in its
30 place the following:

31 "15-10-105.

32 (a) The General Assembly may provide by local law for the superior court clerk or state
33 court clerk to serve as clerk of magistrate court or for the selection of some other person
34 as the clerk of magistrate court and for the compensation of the clerk of magistrate court.

1 In the absence of local law, the selection and compensation of the clerk of magistrate court
2 shall be as provided by subsections (b), (c), and (d) of this Code section.

3 (b) With the consent of the clerk of superior court the county governing authority may
4 provide that the clerk of superior court shall serve as clerk of magistrate court and shall be
5 compensated for his or her services as clerk of magistrate court in an amount not less than
6 ~~\$236.25~~ \$286.73 per month. With the consent of the clerk of the superior court and clerk
7 of the state court, the county governing authority may provide that the state court clerk
8 shall serve as clerk of magistrate court and shall be compensated for his or her service as
9 clerk of magistrate court in an amount not less than ~~\$236.25~~ \$286.73 per month. Such
10 compensation shall be retained by the clerk of superior court as his or her personal funds
11 without regard to whether he or she is otherwise compensated on a fee basis or salary basis
12 or both.

13 (c) If the clerk of superior court or the clerk of state court does not serve as clerk of
14 magistrate court, then the county governing authority may provide for the appointment by
15 the chief magistrate of a clerk to serve at the pleasure of the chief magistrate. A clerk of
16 magistrate court so appointed shall be compensated in an amount fixed by the county
17 governing authority at not less than ~~\$236.25~~ \$286.73 per month.

18 (d) If there is no clerk of magistrate court, the chief magistrate or some other magistrate
19 appointed by the chief magistrate shall perform the duties of clerk. A chief magistrate
20 performing the duties of clerk, or another magistrate appointed by the chief magistrate to
21 perform the duties of clerk, shall receive, in addition to any other compensation to which
22 he or she is entitled, compensation for performing the duties of clerk, the amount of which
23 compensation shall be fixed by the county governing authority at not less than ~~\$236.25~~
24 \$286.73 per month.

25 (e) The compensation of the clerk or magistrate performing the duties of clerk shall be
26 paid in equal monthly installments from county funds.

27 (f) The clerk shall be required to be at least 18 years of age and shall possess a high school
28 diploma or its equivalent. The clerk shall not be subject to a residency requirement.

29 (g) In any case any magistrate may perform any duty to be performed by the clerk."

30 SECTION 11.

31 Said title is further amended by adding a new Code section immediately following Code
32 Section 15-10-105.1, to be designated Code Section 15-10-105.2, to read as follows:

33 "15-10-105.2.

34 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
35 authority of each county is authorized to provide as contingent expenses for the operation

of the office of clerk of the magistrate court, and payable from county funds, a monthly expense allowance of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
0 — 11,889	\$ 100.00
11,890 — 74,999	200.00
75,000 — 249,999	300.00
250,000 — 499,999	400.00
500,000 or more	500.00"

SECTION 12.

Said title is further amended by striking subsection (a) of Code Section 15-16-20, relating to minimum annual salaries of the sheriffs, and inserting in its place the following:

"(a)(1) Any other law to the contrary notwithstanding, the minimum annual salary of each sheriff in this state shall be fixed according to the population of the county in which he or she serves, as determined by the United States decennial census of 1990 or any future such census. Except as otherwise provided in paragraph (2) of this subsection, each such sheriff shall receive an annual salary, payable in equal monthly installments from the funds of the sheriff's county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 — 5,999	\$ 30,697.00 <u>37,256.02</u>
6,000 — 11,889	34,254.00 <u>41,573.04</u>
11,890 — 19,999	39,337.00 <u>47,742.11</u>
20,000 — 28,999	43,315.00 <u>52,570.10</u>
29,000 — 38,999	47,292.00 <u>57,396.87</u>
39,000 — 49,999	51,272.00 <u>62,227.28</u>
50,000 — 74,999	55,249.00 <u>67,054.03</u>
75,000 — 99,999	57,127.00 <u>69,333.30</u>
100,000 — 149,999	59,005.00 <u>71,612.57</u>
150,000 — 199,999	61,105.00 <u>74,161.29</u>
200,000 — 249,999	63,205.00 <u>76,710.00</u>
250,000 — 299,999	69,182.00 <u>83,964.09</u>
300,000 — 399,999	77,259.00 <u>93,766.90</u>
400,000 — 499,999	80,259.00 <u>97,407.90</u>
500,000 — and up	83,259.00 <u>101,048.91</u>

1 (2) On and after July 1, ~~1998~~ 2001, whenever the employees in the classified service of
 2 the state merit system receive a cost-of-living increase or general performance based
 3 increase of a certain percentage or a certain amount, the amounts fixed in the minimum
 4 salary schedule in paragraph (1) of this subsection and in Code Section 15-16-20.1, or the
 5 amounts derived by increasing each of said amounts through the application of longevity
 6 increases pursuant to subsection (b) of this Code section, where applicable, shall be
 7 increased by the same percentage or same amount applicable to such state employees.
 8 If the cost-of-living increase or general performance based increase received by state
 9 employees is in different percentages or different amounts as to certain categories of
 10 employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this
 11 subsection, and in Code Section 15-16-20.1, or the amounts derived through the
 12 application of longevity increases, shall be increased by a percentage or an amount not
 13 to exceed the average percentage or average amount of the general increase in salary
 14 granted to the state employees. The Office of Planning and Budget shall calculate the
 15 average percentage increase or average amount increase when necessary. The periodic
 16 changes in the amounts fixed in the minimum salary schedule in paragraph (1) of this
 17 subsection, and in Code Section 15-16-20.1, or the amounts derived through the
 18 application of longevity increases, as authorized by this paragraph shall become effective
 19 on the first day of January following the date that the cost-of-living increases received by
 20 state employees become effective; provided, however, that if the cost-of-living increases
 21 or general performance based increases received by state employees become effective on
 22 January 1, such periodic changes in the amounts fixed in the minimum salary schedule
 23 in paragraph (1) of this subsection, and in Code Section 15-16-20.1, or the amounts
 24 derived through the application of longevity increases, as authorized by this paragraph
 25 shall become effective on the same date that the cost-of-living increases or general
 26 performance based increases received by state employees become effective.

27 (3) The county governing authority may supplement the minimum annual salary of the
 28 sheriff in such amount as it may fix from time to time; but no sheriff's compensation
 29 supplement shall be decreased during any term of office. Any prior expenditure of county
 30 funds to supplement the sheriff's salary in the manner authorized by this paragraph is
 31 ratified and confirmed. Nothing contained in this paragraph shall prohibit the General
 32 Assembly by local law from supplementing the annual salary of the sheriff."

33 **SECTION 13.**

34 Said title is further amended by striking Code Section 15-16-20.1, relating to additional
 35 minimum salary for sheriffs, and inserting in its place the following:

36 "15-16-20.1.

1 In addition to the minimum salary provided in Code Section 15-16-20, the sheriff of any
 2 county who performs the duties of a sheriff for a state court, probate court, magistrate
 3 court, juvenile court, or county recorder’s court under any applicable general or local law
 4 of this state shall receive for his or her services in such court or courts a salary of not less
 5 than ~~\$236.25~~ \$286.73 per month, to be paid from the funds of the county. A sheriff who
 6 serves in more than one such court shall receive only one such salary.”

SECTION 14.

8 Said title is further amended by adding a new Code section immediately following Code
 9 Section 15-16-20.1, to be designated Code Section 15-16-20.2, to read as follows:

10 "15-16-20.2.

11 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
 12 authority of each county is authorized to provide as contingent expenses for the operation
 13 of the office of sheriff, and payable from county funds, a monthly expense allowance of
 14 not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
0 — 11,889	\$ 100.00
11,890 — 74,999	200.00
75,000 — 249,999	300.00
250,000 — 499,999	400.00
500,000 or more	500.00”

SECTION 15.

22 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
 23 striking subsection (d) of Code Section 21-2-212, relating to county registrars, and inserting
 24 in its place a new subsection (d) to read as follows:

25 "(d) The chief registrar shall be the chief administrative officer of the board of registrars
 26 and shall generally supervise and direct the administration of the affairs of the board of
 27 registrars. The chief registrar shall act as chairperson of the board of registrars and, as
 28 chief registrar, shall perform those functions normally devolving upon the chairperson.
 29 The board of registrars shall meet each month on a day selected by the chief registrar to
 30 transact the business of the board. The board shall also meet at other times as needed upon
 31 the call of the chief registrar or upon the request of two or more of the registrars. The chief
 32 registrar shall be compensated in an amount of not less than ~~\$55.00~~ \$61.00 per day for each
 33 day of service on the business of the board of registrars. The other registrars shall be
 34 compensated in an amount of not less than ~~\$44.00~~ \$48.00 per day for each day of service

1 on the business of the board of registrars. In lieu of the per diem compensation provided
 2 for in this subsection, the chief registrar may be compensated in an amount not less than
 3 ~~\$247.50~~ \$272.00 per month and the other registrars in an amount not less than ~~\$220.00~~
 4 \$242.00 per month. The per diem or monthly compensation, as the case may be, shall be
 5 fixed, subject to the limitations provided for in this subsection, by the governing authority
 6 of each county and shall be paid from county funds. The compensation of other officers
 7 and employees appointed and employed under this article shall be fixed by the board of
 8 registrars with the approval of the governing authority of each county and shall be paid
 9 from county funds."

SECTION 16.

11 Said title is further amended by striking subsection (c) of Code Section 21-2-213, relating
 12 to county deputy registrars, clerical help, and appointment of a county officer or employee
 13 as chief deputy registrar, and inserting in its place the following:

14 "(c) In every county wherein the registrars do not maintain an office which is open and
 15 staffed during regular business hours, the registrars shall designate and appoint as chief
 16 deputy registrar a full-time county officer or employee for the purpose of registering
 17 eligible electors and performing other duties as may be required by the board of registrars.
 18 The governing authority of the county shall provide for the compensation of the chief
 19 deputy registrar in an amount not less than ~~\$236.25~~ \$259.88 per month. The name,
 20 business address, telephone number, and any other pertinent information relative to the
 21 chief deputy registrar shall be forwarded by the registrars to the Secretary of State's office,
 22 where such information shall be maintained on file."

SECTION 17.

24 Said title is further amended by adding a new Code section immediately following Code
 25 Section 21-2-213, to be designated 21-2-213.1, to read as follows:

26 "21-2-213.1.

27 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
 28 authority of each county is authorized to provide as contingent expenses for the operation
 29 of the office of the board of registrars, and payable from county funds, a monthly expense
 30 allowance for each registrar of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
0 — 11,889	\$ 100.00
11,890 — 74,999	200.00
75,000 — 249,999	300.00

1	250,000 — 499,999	400.00
2	500,000 or more	500.00"

SECTION 18.

3
4 Article 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to
5 general provisions relative to coroners, is amended by striking Code Section 45-16-11,
6 relating to compensation of county coroners, and inserting in its place the following:
7 "45-16-11.

8 (a)(1) Any other law to the contrary notwithstanding, the minimum annual salary of each
9 coroner in this state shall be fixed according to the population of the county in which he
10 or she serves, as determined by the United States decennial census of 1990 or any future
11 such census. Except as otherwise provided in paragraph (2) of this subsection, each such
12 coroner shall receive an annual salary, payable in equal monthly installments from the
13 funds of the coroner’s county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
14 <u>0 — 11,889</u>	15 <u>\$ 2,400.00</u>
16 <u>11,890 — 74,999</u>	16 <u>4,800.00</u>
17 <u>75,000 — 249,999</u>	17 <u>7,200.00</u>
18 <u>250,000 — 499,999</u>	18 <u>9,600.00</u>
19 <u>500,000 — and up</u>	19 <u>12,000.00</u>

20 (2) On and after July 1, 2001, whenever the employees in the classified service of the
21 state merit system receive a cost-of-living increase or general performance based increase
22 of a certain percentage or a certain amount, the amounts fixed in the minimum salary
23 schedule in paragraph (1) of this subsection, and in Code Section 45-16-11.1, or the
24 amounts derived by increasing each of said amounts through the application of longevity
25 increases pursuant to subsection (b) of this Code section, where applicable, shall be
26 increased by the same percentage or same amount applicable to such state employees.
27 If the cost-of-living increase or general performance based increase received by state
28 employees is in different percentages or different amounts as to certain categories of
29 employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this
30 subsection, and in Code Section 45-16-11.1, or the amounts derived through the
31 application of longevity increases, shall be increased by a percentage or an amount not
32 to exceed the average percentage or average amount of the general increase in salary
33 granted to the state employees. The Office of Planning and Budget shall calculate the
34 average percentage increase or average amount increase when necessary. The periodic
35 changes in the amounts fixed in the minimum salary schedule in paragraph (1) of this

1 subsection, and in Code Section 45-16-11.1, or the amounts derived through the
2 application of longevity increases, as authorized by this paragraph shall become effective
3 on the first day of January following the date that the cost-of-living increases received by
4 state employees become effective; provided, however, that if the cost-of-living increases
5 or general performance based increases received by state employees become effective on
6 January 1, such periodic changes in the amounts fixed in the minimum salary schedule
7 in paragraph (1) of this subsection, and in Code Section 45-16-11.1, or the amounts
8 derived through the application of longevity increases, as authorized by this paragraph
9 shall become effective on the same date that the cost-of-living increases or general
10 performance based increases received by state employees become effective.

11 (3) The county governing authority may supplement the minimum annual salary of the
12 coroner in such amount as it may fix from time to time; but no coroner's compensation
13 supplement shall be decreased during any term of office. Any prior expenditure of county
14 funds to supplement the coroner's salary in the manner authorized by this paragraph is
15 ratified and confirmed. Nothing contained in this paragraph shall prohibit the General
16 Assembly by local law from supplementing the annual salary of the coroner.

17 (b) The amounts provided in paragraph (1) of subsection (a) of this Code section and Code
18 Section 45-16-11.1, as increased by paragraph (2) of subsection (a) of this Code section,
19 shall be increased by multiplying said amounts by the percentage which equals 5 percent
20 times the number of completed four-year terms of office served by any coroner after
21 December 31, 2000, effective the first day of January following the completion of each
22 such period of service.

23 (c) The minimum salaries provided for in this Code section shall be considered as salary
24 only. Expenses for deputies, equipment, supplies, copying equipment, and other necessary
25 and reasonable expenses for the operation of a coroner's office shall come from funds other
26 than the funds specified as salary in this Code section.

27 (d) This Code section shall not be construed to reduce the salary of any coroner in office
28 on July 1, 2001; provided, however, that successors to such coroners in office on July 1,
29 2001, shall be governed by the provisions of this Code section. All local legislation in
30 effect on July 1, 2001, or enacted thereafter affecting compensation for coroners of the
31 various counties shall be of full force and effect except where the same provides for a
32 salary lower than provided in this Code section, in which event this Code section shall
33 prevail.

34 45-16-11.1.

35 In addition to the minimum salary provided for in Code Section 45-16-11, in any county
36 which is the site of more than one state correctional institution or prison for adults or

1 juveniles and which compensates the county coroner by salary, the state shall compensate
 2 the county coroner in the amount of ~~\$100.00~~ \$110.00 for each state inmate death in such
 3 county. The county coroner of such a county is authorized to accept the compensation
 4 provided in accordance with this Code section despite any local Act which requires such
 5 a coroner to send fees to the county treasury or the county governing authority.

6
 7 45-16-11.2.

8 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
 9 authority of each county is authorized to provide as contingent expenses for the operation
 10 of the office of coroner, and payable from county funds, a monthly expense allowance of
 11 not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
<u>0 — 11,889</u>	<u>\$ 100.00</u>
<u>11,890 — 74,999</u>	<u>200.00</u>
<u>75,000 — 249,999</u>	<u>300.00</u>
<u>250,000 — 499,999</u>	<u>400.00</u>
<u>500,000 or more</u>	<u>500.00"</u>

18 **SECTION 19.**

19 Article 3 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to
 20 county tax officials and administration, is amended by striking subsection (g) of Code
 21 Section 48-5-137, relating to tax collectors and tax commissioners as ex officio sheriffs, and
 22 inserting in its place the following:

23 "(g) Each tax collector or tax commissioner who is compensated on a salary basis and who
 24 is authorized to act as an ex officio sheriff under this Code section and whose office
 25 performs substantially all of the duties of the sheriff with respect to tax executions shall be
 26 entitled to a salary of ~~\$236.25~~ \$309.93 per month for his or her service as ex officio sheriff.
 27 Such compensation shall be in addition to any other compensation to which such tax
 28 commissioner or tax collector is entitled. Such additional compensation shall not be paid
 29 to any tax commissioner who is compensated solely by the fee system of compensation;
 30 but such compensation shall be paid to any tax commissioner who is compensated in part
 31 by fees and in part by a salary. Such compensation shall be paid in equal monthly
 32 installments from county funds."

33 **SECTION 20.**

1 Said article is further amended by striking subsection (b) of Code Section 48-5-183, relating
2 to salaries of tax collectors and tax commissioners, and inserting in its place the following:

3 "(b)(1) Any other law to the contrary notwithstanding, except for the provisions of
4 paragraph (2) of this subsection, the minimum annual salary of each tax collector and tax
5 commissioner who is compensated by an annual salary shall be fixed according to the
6 population of the county in which he or she serves, as determined by the United States
7 decennial census of 1990 or any future such census. Each such officer shall receive an
8 annual salary, payable in equal monthly installments from the funds of his or her county,
9 of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
11 0 — 5,999	\$ 20,108.00 <u>26,336.77</u>
12 6,000 — 11,889	25,126.00 <u>32,909.17</u>
13 11,890 — 19,999	28,326.00 <u>37,100.42</u>
14 20,000 — 28,999	30,165.00 <u>39,509.07</u>
15 29,000 — 38,999	32,674.00 <u>42,795.28</u>
16 39,000 — 49,999	36,437.00 <u>47,723.93</u>
17 50,000 — 74,999	42,732.00 <u>55,968.90</u>
18 75,000 — 99,999	45,868.00 <u>60,076.32</u>
19 100,000 — 149,999	49,003.00 <u>64,182.45</u>
20 150,000 — 199,999	52,325.00 <u>68,533.49</u>
21 200,000 — 249,999	55,647.00 <u>72,884.53</u>
22 250,000 — 299,999	60,013.00 <u>78,602.96</u>
23 300,000 — 399,999	64,379.00 <u>84,321.40</u>
24 400,000 — 499,999	67,379.00 <u>88,250.70</u>
25 500,000 and more	70,379.00 <u>92,179.99</u>

26 (2)(A) On and after July 1, ~~1998~~ 2001, whenever the employees in the classified service
27 of the state merit system receive a cost-of-living increase or general performance based
28 increase of a certain percentage or a certain amount, the amounts fixed in the minimum
29 salary schedule in paragraph (1) of this subsection, in subsection (g) of Code Section
30 48-5-137, and, where applicable, in subsection (c) of Code Section 21-2-213, or the
31 amounts derived by increasing each of said amounts through the application of
32 longevity increases pursuant to subsection (d) of this Code section, where applicable
33 shall be increased by the same percentage or same amount applicable to such state
34 employees. If the cost-of-living increase or general performance based increase
35 received by state employees is in different percentages or different amounts as to
36 certain categories of employees, the amounts fixed in the minimum salary schedule in

1 paragraph (1) of this subsection, in subsection (g) of Code Section 48-5-137, and,
2 where applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived
3 through the application of longevity increases, shall be increased by a percentage or an
4 amount not to exceed the average percentage or average amount of the general increase
5 in salary granted to the state employees. The Office of Planning and Budget shall
6 calculate the average percentage increase or average amount increase when necessary.
7 The periodic changes in the amounts fixed in the minimum salary schedule in paragraph
8 (1) of this subsection, in subsection (g) of Code Section 48-5-137, and, where
9 applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived through
10 the application of longevity increases, as authorized by this paragraph shall become
11 effective on the first day of January following the date that the cost-of-living increases
12 received by state employees become effective; provided, however, that if the
13 cost-of-living increases or general performance based increases received by state
14 employees become effective on January 1, such periodic changes in the amounts fixed
15 in the minimum salary schedule in paragraph (1) of this subsection, in subsection (g)
16 of Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section
17 21-2-213, or the amounts derived through the application of longevity increases as
18 authorized by this paragraph, shall become effective on the same date that the
19 cost-of-living increases or general performance based increases received by state
20 employees become effective.

21 (B) On and after ~~July 1, 1999~~, and prior to July 1, 2001, whenever the employees in the
22 classified service of the state merit system receive a cost-of-living increase or general
23 performance based increase of a certain percentage or a certain amount, the amounts
24 fixed in the minimum salary schedule in paragraph (1) of this subsection, in subsection
25 (g) of Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section
26 21-2-213, or the amounts derived by increasing each of said amounts through the
27 application of longevity increases pursuant to subsection (d) of this Code section, where
28 applicable shall be increased by a percentage or amount applicable to such state
29 employees which shall be four percentage points greater than such percentage or an
30 amount equivalent to such increased percentage point amount. If the cost-of-living
31 increase or general performance based increase received by state employees is in
32 different percentages or different amounts as to certain categories of employees, the
33 increased percentage or increased amount authorized under this paragraph shall be
34 based upon the average percentage or average amount of the general increase in salary
35 granted to the state employees. The Office of Planning and Budget shall calculate the
36 average percentage increase or average amount increase when necessary. Any periodic
37 increase authorized by this paragraph shall become effective on the first day of January

1 following the date that the cost-of-living increases received by state employees become
 2 effective; provided, however, that if the cost-of-living increases or general performance
 3 based increases received by state employees become effective on January 1, such
 4 periodic increases as authorized by this paragraph, shall become effective on the same
 5 date that the cost-of-living increases or general performance based increases received
 6 by state employees become effective.

7 (3) The county governing authority may supplement the minimum annual salary of the
 8 tax commissioner in such amount as it may fix from time to time; but no tax
 9 commissioner’s compensation supplement shall be decreased during any term of office.
 10 Any prior expenditure of county funds to supplement the tax commissioner’s salary in
 11 the manner authorized by this paragraph is ratified and confirmed. Nothing contained in
 12 this paragraph shall prohibit the General Assembly by local law from supplementing the
 13 annual salary of the tax commissioner.”

14 **SECTION 21.**

15 Said article is further amended by adding a new Code section immediately following Code
 16 Section 48-5-183, to be designated Code Section 48-5-183.1, to read as follows:

17 "48-5-183.1.

18 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
 19 authority of each county is authorized to provide as contingent expenses for the operation
 20 of the office of tax commissioner, and payable from county funds, a monthly expense
 21 allowance of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
22 0 — 11,889	\$ 100.00
23 11,890 — 74,999	200.00
24 75,000 — 249,999	300.00
25 250,000 — 499,999	400.00
26 500,000 or more	500.00”

28 **SECTION 22.**

29 Code Section 1-3-1 of the Official Code of Georgia Annotated, relating to construction of
 30 statutes generally, is amended in subparagraph (d)(2)(A) by striking "and" at the end of
 31 division (iv) and by inserting two new divisions immediately following division (v), to be
 32 designated divisions (vi) and (vii), to read as follows:

33 "(vi) Code Section 15-10-23; and

34 (vii) Code Section 45-16-11;”.

