

**AS PASSED SENATE**

The Senate Ethics Committee offered the following substitute to HB 302:

**A BILL TO BE ENTITLED  
AN ACT**

To amend Title 15 of the Official Code of Georgia Annotated, relating to courts; to amend Title 21 of the Official Code of Georgia Annotated, relating to elections; to amend Article 3 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county tax officials and administration, so as to change the provisions relating to the compensation of sheriffs, clerks of the superior courts, judges of the probate courts, tax collectors and tax commissioners, chief deputy tax commissioners, chief magistrates, magistrates, clerks of superior or state courts serving as clerks of magistrate courts, magistrates or chief magistrates serving as clerks of the magistrate court, registrars, and deputy registrars; to amend Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, so as to provide for compensation supplements for members of county governing authorities with respect to completion of certain training; to provide for periodic cost-of-living or general performance based increases for members of county governing authorities; to amend Code Section 1-3-1 of the Official Code of Georgia Annotated, relating to construction of statutes generally, so as to revise certain provisions regarding the effective date of a census for certain purposes; to correct certain cross-references; to provide for other matters relative to the foregoing; to provide effective dates; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

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

"15-6-88.

(a) Any other provision of law to the contrary notwithstanding, the minimum annual salary of each clerk of the superior court in each county of 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 subsection (b) of this Code section, each such clerk shall receive an annual salary, payable in equal monthly installments from the funds of the county, of not less than the amount fixed in the following schedule:

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

(b) On and after July 1, ~~1998~~ 2001, whenever the employees in the classified service of the state merit system receive a cost-of-living increase or general performance based increase of a certain percentage or a certain amount, the amounts fixed in the minimum salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, and in subsection (b) of Code Section 15-10-105, or the amounts derived by increasing each of said amounts through the application of longevity increases pursuant to subsection (a) of Code Section 15-6-90, where applicable shall be increased by the same percentage or same amount applicable to such state employees. If the cost-of-living increase or general performance based increase received by state employees is in different percentages or different amounts as to certain categories of employees, the amounts fixed in the minimum salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, and in subsection (b) of Code Section 15-10-105, or the amounts derived through the application of longevity increases, shall be increased by a percentage or an amount not to exceed the average percentage or average amount of the general increase in salary granted to the state employees. The Office of Planning and Budget shall calculate the average percentage increase or average amount increase when necessary. The periodic changes in the amounts

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

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

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

## SECTION 2.

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

"15-6-88.2.

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 clerk of the superior 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

1	75,000 — 249,999 .....	300.00
2	250,000 — 499,999 .....	400.00
3	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 .....	<del>\$ 20,511.00</del> <u>24,893.57</u>
6,000 — 11,889 .....	<del>27,083.00</del> <u>32,869.82</u>
11,890 — 19,999 .....	<del>30,084.00</del> <u>36,512.04</u>
20,000 — 28,999 .....	<del>33,235.00</del> <u>40,336.31</u>
29,000 — 38,999 .....	<del>36,769.00</del> <u>44,625.42</u>
39,000 — 49,999 .....	<del>38,783.00</del> <u>47,069.75</u>
50,000 — 74,999 .....	<del>41,737.00</del> <u>50,654.92</u>

1	75,000 — 99,999 .....	<del>45,973.00</del> <u>55,796.04</u>
2	100,000 — 149,999 .....	<del>50,210.00</del> <u>60,938.35</u>
3	150,000 — 199,999 .....	<del>55,936.00</del> <u>67,887.82</u>
4	200,000 — 249,999 .....	<del>61,662.00</del> <u>74,837.29</u>
5	250,000 — 299,999 .....	<del>64,435.00</del> <u>78,202.80</u>
6	300,000 — 399,999 .....	<del>67,209.00</del> <u>81,569.52</u>
7	400,000 — 499,999 .....	<del>70,209.00</del> <u>85,210.53</u>
8	500,000 or more .....	<del>73,209.00</del> <u>88,851.53</u>

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

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

## SECTION 5.

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

"15-9-63.1.

(a) Beginning January 1, ~~2000~~ 2002, in any county in which the probate judge serves as chief magistrate or magistrate, he or she shall be compensated for such services based on a minimum annual amount of ~~\$8,500.00~~ \$10,316.20; provided, however, that compensation for a probate judge shall not be reduced during his or her term of office.

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

(c) On and after January 1, ~~2000~~ 2002, the amounts provided in subsections (a) and (b) of this Code section shall be increased by multiplying said amounts by the percentage which

1 equals 5 percent times the number of completed four-year terms of office served by any  
 2 probate judge serving as a chief magistrate or magistrate where such terms have been  
 3 completed after December 31, 1999, effective the first day of January following the  
 4 completion of each such period of service."

#### 5 **SECTION 6.**

6 Said title is further amended by striking Code Section 15-9-64, relating to supplementation  
 7 of minimum salaries of judges of the probate courts, and inserting in its place the following:  
 8 "15-9-64.

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

#### 16 **SECTION 7.**

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

19 "15-9-64.1.

20 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing  
 21 authority of each county is authorized to provide as contingent expenses for the operation  
 22 of the office of judge of the probate court, and payable from county funds, a monthly  
 23 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"

#### 30 **SECTION 8.**

31 Said title is further amended by striking Code Section 15-10-23, relating to minimum  
 32 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 exercises the powers of a magistrate as set forth in Code Section 15-10-2 at least 40 hours per workweek.

(2) Unless otherwise provided by local law ~~and except as otherwise provided in paragraphs (2) and (3) of this subsection~~, effective January 1, 1996 2002, the chief magistrate of each county who serves in a full-time capacity other than those counties where the probate judge serves as chief magistrate shall receive a minimum annual salary 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

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

~~(2) Unless otherwise provided by local law, effective January 1, 1997, the chief magistrate of each county who serves in a full-time capacity other than those counties~~



where the probate judge serves as chief magistrate shall receive a minimum annual salary 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
20,000 — 28,999	23,135.00
29,000 — 38,999	25,952.00
39,000 — 49,999	27,560.00
50,000 — 74,999	29,578.00
75,000 — 99,999	31,970.00
100,000 — 149,999	36,201.00
150,000 — 199,999	39,433.00
200,000 — 249,999	45,297.00
250,000 — 299,999	46,861.00
300,000 or more	49,361.00

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

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

<u>Population</u>	<u>Minimum Salary</u>
0 — 5,999	\$ 18,783.00 <u>24,893.57</u>
6,000 — 11,889	24,801.00 <u>32,869.82</u>
11,890 — 19,999	27,549.00 <u>36,512.04</u>
20,000 — 28,999	31,365.00 <u>40,336.31</u>
29,000 — 38,999	33,671.00 <u>44,625.42</u>
39,000 — 49,999	35,515.00 <u>47,069.75</u>
50,000 — 74,999	38,221.00 <u>50,654.92</u>
75,000 — 99,999	42,100.00 <u>55,796.04</u>

1	100,000 — 149,999 .....	<del>45,980.00</del> <u>60,938.35</u>
2	150,000 — 199,999 .....	<del>51,223.00</del> <u>67,887.82</u>
3	200,000 — 249,999 .....	<del>56,467.00</del> <u>74,837.29</u>
4	250,000 — 299,999 .....	<del>59,007.00</del> <u>78,202.80</u>
5	300,000 or more — 399,999 .....	<del>61,546.00</del> <u>81,569.52</u>
6	<u>400,000 — 499,999 .....</u>	<u>85,210.53</u>
7	<u>500,000 or more .....</u>	<u>88,851.53</u>

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

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

17   ~~(c) Unless otherwise provided by local law, each magistrate who serves in a full-time~~  
18   ~~capacity other than the chief magistrate shall receive a minimum monthly salary of~~  
19   ~~\$2,812.00 per month or 90 percent of the monthly salary of the chief magistrate, whichever~~  
20   ~~is less. All other magistrates shall receive a minimum monthly salary of the lesser of~~  
21   ~~\$16.22 per hour or 90 percent of the monthly salary of the chief magistrate; provided,~~  
22   ~~however, that notwithstanding any other provisions of this subsection, no magistrate who~~  
23   ~~serves in less than a full-time capacity shall receive a minimum monthly salary of less than~~  
24   ~~\$432.64. The county governing authority may supplement the minimum annual salary of~~  
25   ~~each magistrate in such amount as it may fix from time to time; but no such magistrate's~~  
26   ~~compensation supplement shall be decreased during any term of office. Nothing contained~~  
27   ~~in this subsection shall prohibit the General Assembly by local law from supplementing the~~  
28   ~~annual salary of any magistrates.~~

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

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

34   ~~(f) Notwithstanding the provisions of subsection (a) of this Code section, unless otherwise~~  
35   ~~provided by local law, effective January 1, 1996, in any county in which more than 70~~  
36   ~~percent of the population according to the United States decennial census of 1990 or any~~

1 ~~future such census resides on property of the United States government which is exempt~~  
2 ~~from taxation by this state, the population of the county for purposes of subsection (a) of~~  
3 ~~this Code section shall be deemed to be the total population of the county minus the~~  
4 ~~population of the county which resides on property of the United States government.~~

5 ~~(g) During the term of office of any chief magistrate or magistrate whose salary is~~  
6 ~~supplemented by the county governing authority, the chief magistrate or magistrate shall~~  
7 ~~be entitled to the greater of the current salary, including any supplement by the county~~  
8 ~~governing authority, or the minimum annual salary stated in subsection (a) of this Code~~  
9 ~~section but in no event to both.~~

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

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

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

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

1 ~~periodic changes in the amounts provided in subsections (a) and (c) of this Code section~~  
2 ~~and the amounts derived by increasing each of said amounts through the application of~~  
3 ~~longevity increases pursuant to subsection (j) of this Code section, as authorized by this~~  
4 ~~subsection, shall become effective on the first day of January following the date that the~~  
5 ~~cost-of-living increases or general performance based increases received by state~~  
6 ~~employees become effective; provided, however, that if the cost-of-living increases~~  
7 ~~received by state employees become effective on January 1, such periodic changes in the~~  
8 ~~amounts provided in subsections (a) and (c) of this Code section and the amounts derived~~  
9 ~~by increasing each of said amounts through the application of longevity increases pursuant~~  
10 ~~to subsection (j) of this Code section, as authorized by this subsection, shall become~~  
11 ~~effective on the same date that the cost-of-living increases or general performance based~~  
12 ~~increases received by state employees become effective.~~

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

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

27 (4) Unless otherwise provided by local law, each magistrate who serves in a full-time  
28 capacity other than the chief magistrate shall receive a minimum monthly salary of  
29 \$3,093.00 per month or 90 percent of the monthly salary that a full-time chief magistrate  
30 would receive according to paragraph (2) of this subsection, whichever is less.

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

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

4       (b) The amounts provided in subsection (a) of this Code section, as increased by the  
5       supplement, if any, provided by subsection (d) of Code Section 15-10-105, shall be  
6       increased by multiplying said amounts by the percentage which equals 5 percent times the  
7       number of completed four-year terms of office served by any chief magistrate or magistrate  
8       where such terms have been completed after December 31, 1995, effective the first day of  
9       January following the completion of each such period of service.

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

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

(e) The General Assembly may by local law fix the compensation of any or all of a county's magistrates. The chief magistrate or magistrate shall be entitled to the greater of the compensation established by local law, including any supplement by the county governing authority, or the minimum annual salary stated in subsection (a) of this Code section but in no event to both.

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

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

## SECTION 9.

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

"15-10-23.1.

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 magistrate court, and payable from county funds, a monthly expense 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"

**SECTION 10.**

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

"15-10-105.

(a) The General Assembly may provide by local law for the superior court clerk or state court clerk to serve as clerk of magistrate court or for the selection of some other person as the clerk of magistrate court and for the compensation of the clerk of magistrate court. In the absence of local law, the selection and compensation of the clerk of magistrate court shall be as provided by subsections (b), (c), and (d) of this Code section.

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

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

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

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

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

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

**SECTION 11.**

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

"15-10-105.2.

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 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 .....	<del>\$ 30,697.00</del> <u>37,256.02</u>
6,000 — 11,889 .....	<del>34,254.00</del> <u>41,573.04</u>
11,890 — 19,999 .....	<del>39,337.00</del> <u>47,742.11</u>
20,000 — 28,999 .....	<del>43,315.00</del> <u>52,570.10</u>
29,000 — 38,999 .....	<del>47,292.00</del> <u>57,396.87</u>
39,000 — 49,999 .....	<del>51,272.00</del> <u>62,227.28</u>
50,000 — 74,999 .....	<del>55,249.00</del> <u>67,054.03</u>
75,000 — 99,999 .....	<del>57,127.00</del> <u>69,333.30</u>
100,000 — 149,999 .....	<del>59,005.00</del> <u>71,612.57</u>



1	150,000 — 199,999 . . . . .	<del>61,105.00</del>	<u>74,161.29</u>
2	200,000 — 249,999 . . . . .	<del>63,205.00</del>	<u>76,710.00</u>
3	250,000 — 299,999 . . . . .	<del>69,182.00</del>	<u>83,964.09</u>
4	300,000 — 399,999 . . . . .	<del>77,259.00</del>	<u>93,766.90</u>
5	400,000 — 499,999 . . . . .	<del>80,259.00</del>	<u>97,407.90</u>
6	500,000 — and up . . . . .	<del>83,259.00</del>	<u>101,048.91</u>

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

(3) The county governing authority may supplement the minimum annual salary of the sheriff in such amount as it may fix from time to time; but no sheriff's compensation supplement shall be decreased during any term of office. Any prior expenditure of county funds to supplement the sheriff's salary in the manner authorized by this paragraph is

ratified and confirmed. Nothing contained in this paragraph shall prohibit the General Assembly by local law from supplementing the annual salary of the sheriff."

### SECTION 13.

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

"15-16-20.1.

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

### SECTION 14.

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

"15-16-20.2.

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 sheriff, 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 15.

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

"(d) The chief registrar shall be the chief administrative officer of the board of registrars and shall generally supervise and direct the administration of the affairs of the board of registrars. The chief registrar shall act as chairperson of the board of registrars and, as

chief registrar, shall perform those functions normally devolving upon the chairperson. The board of registrars shall meet each month on a day selected by the chief registrar to transact the business of the board. The board shall also meet at other times as needed upon the call of the chief registrar or upon the request of two or more of the registrars. The chief registrar shall be compensated in an amount of not less than ~~\$55.00~~ \$61.00 per day for each day of service on the business of the board of registrars. The other registrars shall be compensated in an amount of not less than ~~\$44.00~~ \$48.00 per day for each day of service on the business of the board of registrars. In lieu of the per diem compensation provided for in this subsection, the chief registrar may be compensated in an amount not less than ~~\$247.50~~ \$272.00 per month and the other registrars in an amount not less than ~~\$220.00~~ \$242.00 per month. The per diem or monthly compensation, as the case may be, shall be fixed, subject to the limitations provided for in this subsection, by the governing authority of each county and shall be paid from county funds. The compensation of other officers and employees appointed and employed under this article shall be fixed by the board of registrars with the approval of the governing authority of each county and shall be paid from county funds."

#### SECTION 16.

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

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

#### SECTION 17.

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

"21-2-213.1.

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 the board of registrars, and payable from county funds, a monthly expense 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
250,000 — 499,999 .....	400.00
500,000 or more .....	500.00"

### SECTION 18.

Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, is amended by adding two new Code sections, to be designated Code Sections 36-5-27 and 36-5-28, to read as follows:

"36-5-27.

In addition to any other compensation to which a member of a county governing authority is entitled under general or local law, any such official who has been awarded a certificate from the University of Georgia, evidencing his or her successful completion of the voluntary course of training administered by the Carl Vinson Institute of Government resulting in designation as a certified county commissioner shall be entitled to a compensation supplement of \$100.00 per month. With regard to members of the governing authority of a consolidated government, designation either as a certified county commissioner or a certified municipal official by the Carl Vinson Institute of Government shall be acceptable.

36-5-28.

On and after January 1, 2001, whenever the employees in the classified service of the state merit system receive a cost-of-living increase or general performance based increase of a certain percentage or a certain amount, the compensation to which a member of a governing authority is entitled under general or local law shall be increased by the same percentage or same amount applicable to such state employees. If the cost-of-living increase or general performance based increase received by state employees is in different percentages or different amounts as to certain categories of employees, the amount to which a member of a county governing authority is entitled under general or local law shall be increased by a percentage or an amount not to exceed the average percentage or average amount of the general increase in salary granted to the state employees. The Office of Planning and Budget shall calculate the average percentage increase or average amount

1 increase when necessary. The periodic changes in the amount to which a member of a  
2 county governing authority is entitled under general or local law shall become effective on  
3 the first day of January following the date that the cost-of-living increases or general  
4 performance based increases received by state employees become effective; provided,  
5 however, that if the cost-of-living increases received by state employees become effective  
6 on January 1, such periodic changes in the amount to which a member of a county  
7 governing authority is entitled under general or local law shall become effective on the  
8 same date that the cost-of-living increases or general performance based increases received  
9 by state employees become effective."

#### 10 **SECTION 19.**

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

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

#### 25 **SECTION 20.**

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

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

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

(2)(A) On and after July 1, ~~1998~~ 2001, whenever the employees in the classified service of the state merit system receive a cost-of-living increase or general performance based increase of a certain percentage or a certain amount, the amounts fixed in the minimum salary schedule in paragraph (1) of this subsection, in subsection (g) of Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived by increasing each of said amounts through the application of longevity increases pursuant to subsection (d) of this Code section, where applicable shall be increased by the same percentage or same amount applicable to such state employees. If the cost-of-living increase or general performance based increase received by state employees is in different percentages or different amounts as to certain categories of employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this subsection, in subsection (g) of Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived through the application of longevity increases, shall be increased by a percentage or an amount not to exceed the average percentage or average amount of the general increase in salary granted to the state employees. The Office of Planning and Budget shall calculate the average percentage increase or average amount increase when necessary. The periodic changes in the amounts fixed in the minimum salary schedule in paragraph (1) of this subsection, in subsection (g) of Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived through the application of longevity

1 increases, as authorized by this paragraph shall become effective on the first day of  
2 January following the date that the cost-of-living increases received by state employees  
3 become effective; provided, however, that if the cost-of-living increases or general  
4 performance based increases received by state employees become effective on January  
5 1, such periodic changes in the amounts fixed in the minimum salary schedule in  
6 paragraph (1) of this subsection, in subsection (g) of Code Section 48-5-137, and, where  
7 applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived through  
8 the application of longevity increases as authorized by this paragraph, shall become  
9 effective on the same date that the cost-of-living increases or general performance based  
10 increases received by state employees become effective.

11 ~~(B) On and after July 1, 1999, and prior to July 1, 2001, whenever the employees in the~~  
12 ~~classified service of the state merit system receive a cost-of-living increase or general~~  
13 ~~performance based increase of a certain percentage or a certain amount, the amounts~~  
14 ~~fixed in the minimum salary schedule in paragraph (1) of this subsection, in subsection~~  
15 ~~(g) of Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section~~  
16 ~~21-2-213, or the amounts derived by increasing each of said amounts through the~~  
17 ~~application of longevity increases pursuant to subsection (d) of this Code section, where~~  
18 ~~applicable shall be increased by a percentage or amount applicable to such state~~  
19 ~~employees which shall be four percentage points greater than such percentage or an~~  
20 ~~amount equivalent to such increased percentage point amount. If the cost-of-living~~  
21 ~~increase or general performance based increase received by state employees is in~~  
22 ~~different percentages or different amounts as to certain categories of employees, the~~  
23 ~~increased percentage or increased amount authorized under this paragraph shall be~~  
24 ~~based upon the average percentage or average amount of the general increase in salary~~  
25 ~~granted to the state employees. The Office of Planning and Budget shall calculate the~~  
26 ~~average percentage increase or average amount increase when necessary. Any periodic~~  
27 ~~increase authorized by this paragraph shall become effective on the first day of January~~  
28 ~~following the date that the cost-of-living increases received by state employees become~~  
29 ~~effective; provided, however, that if the cost-of-living increases or general performance~~  
30 ~~based increases received by state employees become effective on January 1, such~~  
31 ~~periodic increases as authorized by this paragraph, shall become effective on the same~~  
32 ~~date that the cost-of-living increases or general performance based increases received~~  
33 ~~by state employees become effective.~~

34 (3) The county governing authority may supplement the minimum annual salary of the  
35 tax commissioner in such amount as it may fix from time to time; but no tax  
36 commissioner's compensation supplement shall be decreased during any term of office.  
37 Any prior expenditure of county funds to supplement the tax commissioner's salary in

the manner authorized by this paragraph is ratified and confirmed. Nothing contained in this paragraph shall prohibit the General Assembly by local law from supplementing the annual salary of the tax commissioner."

#### SECTION 21.

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

"48-5-183.1.

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 tax commissioner, 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 22.

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

"(vi) Code Section 15-10-23;".

#### SECTION 23.

(a) Section 22, this section, and Section 24 of this Act shall become effective on July 1, 2001.

(b) Sections 1 through 21 of this Act shall become effective on January 1, 2002.

#### SECTION 24.

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