

House Bill 302 (AS PASSED HOUSE AND SENATE)

By: Representatives Coleman of the 142nd, Royal of the 164th and Shanahan of the 10th

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 Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to
12 county governing authorities, so as to provide for compensation supplements for members
13 of county governing authorities with respect to completion of certain training; to provide for
14 periodic cost-of-living or general performance based increases for members of county
15 governing authorities; to amend Code Section 1-3-1 of the Official Code of Georgia
16 Annotated, relating to construction of statutes generally, so as to revise certain provisions
17 regarding the effective date of a census for certain purposes; to correct certain
18 cross-references; to provide for other matters relative to the foregoing; to provide effective
19 dates; to repeal conflicting laws; and for other purposes.

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

21 **SECTION 1.**

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

25 "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	\$ 21,780.00 <u>26,433.73</u>
6,000 — 11,889	29,910.00 <u>36,300.86</u>
11,890 — 19,999	33,882.00 <u>41,121.55</u>
20,000 — 28,999	36,301.00 <u>44,057.42</u>
29,000 — 38,999	38,720.00 <u>46,993.29</u>
39,000 — 49,999	41,142.00 <u>49,932.80</u>
50,000 — 74,999	43,563.00 <u>52,871.09</u>
75,000 — 99,999	44,772.00 <u>54,338.42</u>
100,000 — 149,999	45,982.00 <u>55,806.96</u>
150,000 — 199,999	47,192.00 <u>57,275.49</u>
200,000 — 249,999	48,402.00 <u>58,744.04</u>
250,000 — 299,999	66,936.00 <u>81,238.19</u>
300,000 — 399,999	73,890.00 <u>89,678.05</u>
400,000 — 499,999	76,890.00 <u>93,319.06</u>
500,000 or more	79,890.00 <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

1 average percentage or average amount of the general increase in salary granted to the state
 2 employees. The Office of Planning and Budget shall calculate the average percentage
 3 increase or average amount increase when necessary. The periodic changes in the amounts
 4 fixed in the minimum salary schedule in subsection (a) of this Code section, in Code
 5 Section 15-6-89, in subsection (b) of Code Section 15-10-105, or the amounts derived
 6 through the application of longevity increases, as authorized by this subsection shall
 7 become effective on the first day of January following the date that the cost-of-living
 8 increases or general performance based increases received by state employees become
 9 effective; provided, however, that if the cost-of-living increases received by state
 10 employees become effective on January 1, such periodic changes in the amounts fixed in
 11 the minimum salary schedule in subsection (a) of this Code section, in Code Section
 12 15-6-89, and in subsection (b) of Code Section 15-10-105, or the amounts derived by
 13 increasing each of said amounts through the application of longevity increases pursuant to
 14 subsection (a) of Code Section 15-6-90, shall become effective on the same date that the
 15 cost-of-living increases or general performance based increases received by state
 16 employees become effective.

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

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

28 **SECTION 2.**

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

31 "15-6-88.2.

32 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
 33 authority of each county is authorized to provide as contingent expenses for the operation
 34 of the office of clerk of the superior court, and payable from county funds, a monthly
 35 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>

1	29,000 — 38,999	36,769.00 <u>44,625.42</u>
2	39,000 — 49,999	38,783.00 <u>47,069.75</u>
3	50,000 — 74,999	41,737.00 <u>50,654.92</u>
4	75,000 — 99,999	45,973.00 <u>55,796.04</u>
5	100,000 — 149,999	50,210.00 <u>60,938.35</u>
6	150,000 — 199,999	55,936.00 <u>67,887.82</u>
7	200,000 — 249,999	61,662.00 <u>74,837.29</u>
8	250,000 — 299,999	64,435.00 <u>78,202.80</u>
9	300,000 — 399,999	67,209.00 <u>81,569.52</u>
10	400,000 — 499,999	70,209.00 <u>85,210.53</u>
11	500,000 or more	73,209.00 <u>88,851.53</u>

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

1 the cost-of-living increases or general performance based increases received by state
2 employees become effective.

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

10 SECTION 5.

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

13 "15-9-63.1.

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

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

1 (c) On and after January 1, ~~2000~~ 2002, the amounts provided in subsections (a) and (b) of
 2 this Code section shall be increased by multiplying said amounts by the percentage which
 3 equals 5 percent times the number of completed four-year terms of office served by any
 4 probate judge serving as a chief magistrate or magistrate where such terms have been
 5 completed after December 31, 1999, effective the first day of January following the
 6 completion of each such period of service."

7 **SECTION 6.**

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

10 "15-9-64.

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

18 **SECTION 7.**

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

21 "15-9-64.1.

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

<u>Population</u>	<u>Minimum Monthly Expenses</u>
26 0 — 11,889	\$ 100.00
27 11,890 — 74,999	200.00
28 75,000 — 249,999	300.00
29 250,000 — 499,999	400.00
30 500,000 or more	500.00"

32 **SECTION 8.**

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

3 "15-10-23.

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

11 (2) Unless otherwise provided by local law ~~and except as otherwise provided in~~
12 ~~paragraphs (2) and (3) of this subsection,~~ effective January 1, 1996 2002, the chief
13 magistrate of each county who serves in a full-time capacity other than those counties
14 where the probate judge serves as chief magistrate shall receive a minimum annual salary
15 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

30 ~~The minimum salary for each affected chief magistrate shall be fixed from the above~~
31 ~~table according to the population of the county in which the chief magistrate serves as~~
32 ~~determined by the United States decennial census of 1990 or any future such census. The~~
33 ~~county governing authority may supplement the minimum annual salary of the chief~~
34 ~~magistrate in such amount as it may fix from time to time; but no chief magistrate's~~
35 ~~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>

1	50,000 — 74,999	38,221.00	<u>50,654.92</u>
2	75,000 — 99,999	42,100.00	<u>55,796.04</u>
3	100,000 — 149,999	45,980.00	<u>60,938.35</u>
4	150,000 — 199,999	51,223.00	<u>67,887.82</u>
5	200,000 — 249,999	56,467.00	<u>74,837.29</u>
6	250,000 — 299,999	59,007.00	<u>78,202.80</u>
7	300,000 or more — <u>399,999</u>	61,546.00	<u>81,569.52</u>
8	<u>400,000 — 499,999</u>		<u>85,210.53</u>
9	<u>500,000 or more</u>		<u>88,851.53</u>

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

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

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

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

34 ~~(e) The General Assembly may by local law fix the compensation of any or all of a~~
 35 ~~county’s magistrates.~~

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

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

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

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

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

27 ~~(k) On and after January 1, 1996, whenever the employees in the classified service of the~~
28 ~~state merit system receive a cost-of-living increase or general performance based increase~~
29 ~~of a certain percentage or a certain amount, the amounts provided in subsections (a) and~~
30 ~~(c) of this Code section and the amounts derived by increasing each of said amounts~~
31 ~~through the application of longevity increases pursuant to subsection (j) of this Code~~
32 ~~section shall be increased by the same percentage or same amount applicable to such state~~
33 ~~employees. If the cost-of-living increase or general performance based increase received~~
34 ~~by state employees is in different percentages or different amounts as to certain categories~~
35 ~~of employees, the amounts provided in subsections (a) and (c) of this Code section and the~~
36 ~~amounts derived by increasing each of said amounts through the application of longevity~~
37 ~~increases pursuant to subsection (j) 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 amounts provided in subsections (a) and (c) of this Code section and the amounts derived by increasing each of said amounts through the application of longevity increases pursuant to subsection (j) 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 the cost-of-living increases received by state employees become effective on January 1, such periodic changes in the amounts provided in subsections (a) and (c) of this Code section and the amounts derived by increasing each of said amounts through the application of longevity increases pursuant to subsection (j) 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.~~

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

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

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

(5) All magistrates other than chief magistrates who serve in less than a full-time capacity or on call shall receive a minimum monthly salary of the lesser of \$17.84 per hour for each hour worked as certified by the chief magistrate to the county governing authority or 90 percent of the monthly salary that a full-time chief magistrate would

1 receive according to paragraph (2) of this subsection; provided, however, that
2 notwithstanding any other provisions of this subsection, no magistrate who serves in less
3 than a full-time capacity shall receive a minimum monthly salary of less than \$475.90.

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

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

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

1 authorized by this subsection, shall become effective on the same date that the
2 cost-of-living increases or general performance based increases received by state
3 employees become effective.

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

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

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

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

23 **SECTION 9.**

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

26 "15-10-23.1.

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 magistrate court, and payable from county funds, a monthly expense
30 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

1 500,000 or more 500.00"

2 **SECTION 10.**

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

6 "15-10-105.

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

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

12 (b) With the consent of the clerk of superior court the county governing authority may
13 provide that the clerk of superior court shall serve as clerk of magistrate court and shall be
14 compensated for his or her services as clerk of magistrate court in an amount not less than
15 ~~\$236.25~~ \$286.73 per month. With the consent of the clerk of the superior court and clerk
16 of the state court, the county governing authority may provide that the state court clerk
17 shall serve as clerk of magistrate court and shall be compensated for his or her service as
18 clerk of magistrate court in an amount not less than ~~\$236.25~~ \$286.73 per month. Such
19 compensation shall be retained by the clerk of superior court as his or her personal funds
20 without regard to whether he or she is otherwise compensated on a fee basis or salary basis
21 or both.

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

27 (d) If there is no clerk of magistrate court, the chief magistrate or some other magistrate
28 appointed by the chief magistrate shall perform the duties of clerk. A chief magistrate
29 performing the duties of clerk, or another magistrate appointed by the chief magistrate to
30 perform the duties of clerk, shall receive, in addition to any other compensation to which
31 he or she is entitled, compensation for performing the duties of clerk, the amount of which
32 compensation shall be fixed by the county governing authority at not less than ~~\$236.25~~
33 \$286.73 per month.

34 (e) The compensation of the clerk or magistrate performing the duties of clerk shall be
35 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	\$ 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>

1	39,000 — 49,999	51,272.00	<u>62,227.28</u>
2	50,000 — 74,999	55,249.00	<u>67,054.03</u>
3	75,000 — 99,999	57,127.00	<u>69,333.30</u>
4	100,000 — 149,999	59,005.00	<u>71,612.57</u>
5	150,000 — 199,999	61,105.00	<u>74,161.29</u>
6	200,000 — 249,999	63,205.00	<u>76,710.00</u>
7	250,000 — 299,999	69,182.00	<u>83,964.09</u>
8	300,000 — 399,999	77,259.00	<u>93,766.90</u>
9	400,000 — 499,999	80,259.00	<u>97,407.90</u>
10	500,000 — and up	83,259.00	<u>101,048.91</u>

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

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

7 **SECTION 13.**

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

10 "15-16-20.1.

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

17 **SECTION 14.**

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

20 "15-16-20.2.

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

<u>Population</u>	<u>Minimum Monthly Expenses</u>
25 0 — 11,889	\$ 100.00
26 11,890 — 74,999	200.00
27 75,000 — 249,999	300.00
28 250,000 — 499,999	400.00
29 500,000 or more	500.00”

31 **SECTION 15.**

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

4 "(d) The chief registrar shall be the chief administrative officer of the board of registrars
 5 and shall generally supervise and direct the administration of the affairs of the board of
 6 registrars. The chief registrar shall act as chairperson of the board of registrars and, as
 7 chief registrar, shall perform those functions normally devolving upon the chairperson.
 8 The board of registrars shall meet each month on a day selected by the chief registrar to
 9 transact the business of the board. The board shall also meet at other times as needed upon
 10 the call of the chief registrar or upon the request of two or more of the registrars. The chief
 11 registrar shall be compensated in an amount of not less than ~~\$55.00~~ \$61.00 per day for each
 12 day of service on the business of the board of registrars. The other registrars shall be
 13 compensated in an amount of not less than ~~\$44.00~~ \$48.00 per day for each day of service
 14 on the business of the board of registrars. In lieu of the per diem compensation provided
 15 for in this subsection, the chief registrar may be compensated in an amount not less than
 16 ~~\$247.50~~ \$272.00 per month and the other registrars in an amount not less than ~~\$220.00~~
 17 \$242.00 per month. The per diem or monthly compensation, as the case may be, shall be
 18 fixed, subject to the limitations provided for in this subsection, by the governing authority
 19 of each county and shall be paid from county funds. The compensation of other officers
 20 and employees appointed and employed under this article shall be fixed by the board of
 21 registrars with the approval of the governing authority of each county and shall be paid
 22 from county funds."

23

SECTION 16.

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

27 "(c) In every county wherein the registrars do not maintain an office which is open and
 28 staffed during regular business hours, the registrars shall designate and appoint as chief
 29 deputy registrar a full-time county officer or employee for the purpose of registering
 30 eligible electors and performing other duties as may be required by the board of registrars.
 31 The governing authority of the county shall provide for the compensation of the chief
 32 deputy registrar in an amount not less than ~~\$236.25~~ \$259.88 per month. The name,
 33 business address, telephone number, and any other pertinent information relative to the
 34 chief deputy registrar shall be forwarded by the registrars to the Secretary of State's office,
 35 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

1 increase or general performance based increase received by state employees is in different
 2 percentages or different amounts as to certain categories of employees, the amount to
 3 which a member of a county governing authority is entitled under general or local law shall
 4 be increased by a percentage or an amount not to exceed the average percentage or average
 5 amount of the general increase in salary granted to the state employees. The Office of
 6 Planning and Budget shall calculate the average percentage increase or average amount
 7 increase when necessary. The periodic changes in the amount to which a member of a
 8 county governing authority is entitled under general or local law shall become effective on
 9 the first day of January following the date that the cost-of-living increases or general
 10 performance based increases received by state employees become effective; provided,
 11 however, that if the cost-of-living increases received by state employees become effective
 12 on January 1, such periodic changes in the amount to which a member of a county
 13 governing authority is entitled under general or local law shall become effective on the
 14 same date that the cost-of-living increases or general performance based increases received
 15 by state employees become effective."

16 **SECTION 18A.**

17 Article 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to
 18 general provisions relative to coroners, is amended by striking Code Section 45-16-11,
 19 relating to compensation of county coroners, and inserting in its place the following:

20 "45-16-11.

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

<u>Population</u>	<u>Minimum Salary</u>
28 <u>0 — 11,889</u>	<u>\$ 1,200.00</u>
29 <u>11,890 — 19,999</u>	<u>2,400.00</u>
30 <u>20,000 — 34,999</u>	<u>3,600.00</u>

31 (2) On and after July 1, 2001, whenever the employees in the classified service of the
 32 state merit system receive a cost-of-living increase or general performance based increase
 33 of a certain percentage or a certain amount, the amounts fixed in the minimum salary
 34 schedule in paragraph (1) of this subsection, and in Code Section 45-16-11.1, or the
 35 amounts derived by increasing each of said amounts through the application of longevity
 36 shall be increased by the same percentage or amount as the amounts fixed in the minimum salary

1 increases pursuant to subsection (b) of this Code section, where applicable, shall be
2 increased by the same percentage or same amount applicable to such state employees.
3 If the cost-of-living increase or general performance based increase received by state
4 employees is in different percentages or different amounts as to certain categories of
5 employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this
6 subsection, and in Code Section 45-16-11.1, or the amounts derived through the
7 application of longevity increases, shall be increased by a percentage or an amount not
8 to exceed the average percentage or average amount of the general increase in salary
9 granted to the state employees. The Office of Planning and Budget shall calculate the
10 average percentage increase or average amount increase when necessary. The periodic
11 changes in the amounts fixed in the minimum salary schedule in paragraph (1) of this
12 subsection, and in Code Section 45-16-11.1, or the amounts derived through the
13 application of longevity increases, as authorized by this paragraph shall become effective
14 on the first day of January following the date that the cost-of-living increases received by
15 state employees become effective; provided, however, that if the cost-of-living increases
16 or general performance based increases received by state employees become effective on
17 January 1, such periodic changes in the amounts fixed in the minimum salary schedule
18 in paragraph (1) of this subsection, and in Code Section 45-16-11.1, or the amounts
19 derived through the application of longevity increases, as authorized by this paragraph
20 shall become effective on the same date that the cost-of-living increases or general
21 performance based increases received by state employees become effective.

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

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

34 (c) The minimum salaries provided for under this Code section shall be in addition to any
35 fees paid by the county governing authority to the coroner on a per-call basis and in
36 addition to any expenses.

1 (d) The minimum salaries provided for in this Code section shall be considered as salary
2 only. Expenses for deputies, equipment, supplies, copying equipment, and other necessary
3 and reasonable expenses for the operation of a coroner’s office shall come from funds other
4 than the funds specified as salary in this Code section.

5 (e) This Code section shall not be construed to reduce the salary of any coroner in office
6 on July 1, 2001; provided, however, that successors to such coroners in office on July 1,
7 2001, shall be governed by the provisions of this Code section. All local legislation in
8 effect on July 1, 2001, or enacted thereafter affecting compensation for coroners of the
9 various counties shall be of full force and effect except where the same provides for a
10 salary lower than provided in this Code section, in which event this Code section shall
11 prevail.

12 45-16-11.1.

13 In addition to the minimum salary provided for in Code Section 45-16-11, in any county
14 which is the site of more than one state correctional institution or prison for adults or
15 juveniles and which compensates the county coroner by salary, the state shall compensate
16 the county coroner in the amount of \$100.00 \$110.00 for each state inmate death in such
17 county. The county coroner of such a county is authorized to accept the compensation
18 provided in accordance with this Code section despite any local Act which requires such
19 a coroner to send fees to the county treasury or the county governing authority.

20
21 45-16-11.2.

22 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
23 authority of each of the counties in this state in the following population bracket is
24 authorized to provide as contingent expenses for the operation of the office of coroner, and
25 payable from county funds, a monthly expense allowance of not less than the amount fixed
26 in the following schedule:

<u>Population</u>	<u>Minimum Monthly Expenses</u>
27 0 — 34,999	28 <u>\$ 50.00"</u>

29 **SECTION 19.**

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

34 "(g) Each tax collector or tax commissioner who is compensated on a salary basis and who
35 is authorized to act as an ex officio sheriff under this Code section and whose office

1 performs substantially all of the duties of the sheriff with respect to tax executions shall be
 2 entitled to a salary of ~~\$236.25~~ \$309.93 per month for his or her service as ex officio sheriff.
 3 Such compensation shall be in addition to any other compensation to which such tax
 4 commissioner or tax collector is entitled. Such additional compensation shall not be paid
 5 to any tax commissioner who is compensated solely by the fee system of compensation;
 6 but such compensation shall be paid to any tax commissioner who is compensated in part
 7 by fees and in part by a salary. Such compensation shall be paid in equal monthly
 8 installments from county funds."

9 **SECTION 20.**

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

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

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

1 (2)(A) On and after July 1, ~~1998~~ 2001, whenever the employees in the classified service
2 of 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, in subsection (g) of Code Section
5 48-5-137, and, where applicable, in subsection (c) of Code Section 21-2-213, or the
6 amounts derived by increasing each of said amounts through the application of longevity
7 increases pursuant to subsection (d) of this Code section, where applicable shall be
8 increased by the same percentage or same amount applicable to such state employees.
9 If the cost-of-living increase or general performance based increase received by state
10 employees is in different percentages or different amounts as to certain categories of
11 employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this
12 subsection, in subsection (g) of Code Section 48-5-137, and, where applicable, in
13 subsection (c) of Code Section 21-2-213, or the amounts derived through the application
14 of longevity increases, 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
16 state employees. The Office of Planning and Budget shall calculate the average
17 percentage increase or average amount increase when necessary. The periodic changes
18 in the amounts fixed in the minimum salary schedule in paragraph (1) of this subsection,
19 in subsection (g) of Code Section 48-5-137, and, where applicable, in subsection (c) of
20 Code Section 21-2-213, or the amounts derived through the application of longevity
21 increases, as authorized by this paragraph shall become effective on the first day of
22 January following the date that the cost-of-living increases received by state employees
23 become effective; provided, however, that if the cost-of-living increases or general
24 performance based increases received by state employees become effective on January
25 1, such periodic changes in the amounts fixed in the minimum salary schedule in
26 paragraph (1) of this subsection, in subsection (g) of Code Section 48-5-137, and, where
27 applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived through
28 the application of longevity increases as authorized by this paragraph, shall become
29 effective on the same date that the cost-of-living increases or general performance based
30 increases received by state employees become effective.

31 ~~(B) On and after July 1, 1999, and prior to July 1, 2001, whenever the employees in the~~
32 ~~classified service of the state merit system receive a cost-of-living increase or general~~
33 ~~performance based increase of a certain percentage or a certain amount, the amounts~~
34 ~~fixed in the minimum salary schedule in paragraph (1) of this subsection, in subsection~~
35 ~~(g) of Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section~~
36 ~~21-2-213, or the amounts derived by increasing each of said amounts through the~~
37 ~~application of longevity increases pursuant to subsection (d) of this Code section, where~~

1 ~~applicable shall be increased by a percentage or amount applicable to such state~~
 2 ~~employees which shall be four percentage points greater than such percentage or an~~
 3 ~~amount equivalent to such increased percentage point amount. If the cost-of-living~~
 4 ~~increase or general performance based increase received by state employees is in~~
 5 ~~different percentages or different amounts as to certain categories of employees, the~~
 6 ~~increased percentage or increased amount authorized under this paragraph shall be~~
 7 ~~based upon the average percentage or average amount of the general increase in salary~~
 8 ~~granted to the state employees. The Office of Planning and Budget shall calculate the~~
 9 ~~average percentage increase or average amount increase when necessary. Any periodic~~
 10 ~~increase authorized by this paragraph shall become effective on the first day of January~~
 11 ~~following the date that the cost-of-living increases received by state employees become~~
 12 ~~effective; provided, however, that if the cost-of-living increases or general performance~~
 13 ~~based increases received by state employees become effective on January 1, such~~
 14 ~~periodic increases as authorized by this paragraph, shall become effective on the same~~
 15 ~~date that the cost-of-living increases or general performance based increases received~~
 16 ~~by state employees become effective.~~

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

24 **SECTION 21.**

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

27 "48-5-183.1.

28 In addition to any salary, fees, or expenses now or hereafter provided by law, the governing
 29 authority of each county is authorized to provide as contingent expenses for the operation
 30 of the office of tax commissioner, and payable from county funds, a monthly expense
 31 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

