

Senate Bill 153

By: Senators Unterman of the 45th, Mullis of the 53rd and Bulloch of the 11th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 21-2-131 of the Official Code of Georgia Annotated, relating to
2 qualifying fees, so as to revise the procedure for the calculation of qualifying fees for certain
3 county officials; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Code Section 21-2-131 of the Official Code of Georgia Annotated, relating to qualifying
7 fees, is amended by striking paragraph (1) of subsection (a) and inserting in lieu thereof a
8 new paragraph (1) to read as follows:

9 "(1)(A) The governing authority of any county or municipality, not later than
10 February 1 of any year in which a general primary, nonpartisan election, or general
11 election is to be held, and at least 35 days prior to the special primary or election in the
12 case of a special primary or special election, shall fix and publish a qualifying fee for
13 each county or municipal office to be filled in the upcoming primary or election. ~~Such~~
14 Except as otherwise provided in subparagraph (B) of this paragraph, such fee shall be
15 3 percent of the total gross salary of the office paid in the preceding calendar year
16 including all supplements authorized by law if a salaried office; ~~provided, however,~~
17 ~~that for~~

18 (B) For the offices of clerk of the superior court, judge of the probate court, sheriff, tax
19 commissioner, and magistrate, the qualifying fee shall be 3 percent of the minimum
20 salary ~~provided by general law for the office~~ specified in subsection (a) of Code Section
21 15-6-88, paragraph (1) of subsection (a) of Code Section 15-9-63, subsection (a) of
22 Code Section 15-10-23, paragraph (1) of subsection (a) of Code Section 15-16-20, and
23 paragraph (1) of subsection (b) of Code Section 48-5-183, exclusive of supplements,
24 cost-of-living increases and longevity increases. For the office of members of the
25 county governing authority, the qualifying fee shall be 3 percent of the base salary
26 established by local Act of the General Assembly or by Code Section 36-5-25 as

1 adjusted pursuant to Code Section 36-5-24, if applicable, exclusive of compensation
2 supplements for training provided for in Code Section 36-5-27 and cost-of-living
3 adjustments pursuant to Code Section 36-5-28. If not a salaried office, a reasonable fee
4 shall be set by the governing authority of such county or municipality, such fee not to
5 exceed 3 percent of the income derived from such county office by the person holding
6 the office for the preceding year or more than \$35.00 for a municipal office;".

7 **SECTION 2.**

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