

The Senate Judiciary Committee offered the following substitute to HB 268:

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Article 1 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to district attorneys, so as to change the provisions relating to the compensation of  
3 district attorneys, assistant district attorneys, district attorney investigators, and assistant  
4 district attorneys who temporarily substitute for a district attorney who dies or resigns during  
5 the term of office; to change the provisions relating to additional personnel for district  
6 attorneys' offices; to amend Code Section 45-7-4 of the Official Code of Georgia Annotated,  
7 relating to compensation of certain state officials, so as to change the annual salary of district  
8 attorneys; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

10                   **SECTION 1.**

11 Article 1 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated, relating to  
12 district attorneys, is amended in Code Section 15-18-10, relating to the compensation of  
13 district attorneys, by striking subsection (a), and inserting in lieu thereof the following:

14         "(a) Each district attorney shall receive an annual salary from state funds as prescribed by  
15 law in an amount not to exceed \$500.00 less than the salary provided by law for judges of  
16 the superior courts from state funds. Such salary shall be paid as provided in Code Section  
17 15-18-19."

18                   **SECTION 2.**

19 Said article is further amended in Code Section 15-18-14, relating to the appointment,  
20 qualifications, and compensation of assistant district attorneys, by striking subsection (c) and  
21 inserting in lieu thereof the following:

22         "(c) Each attorney appointed pursuant to this Code section shall be compensated based on  
23 a salary schedule established in accordance with subsection (e) of Code Section 15-18-19.  
24 The salary range for each class established in accordance with subsection (b) of this Code  
25 section shall be as follows:

- (1) Assistant district attorney I. Not less than \$27,696.00 \$38,124.00 nor more than 65 percent of the compensation of the district attorney;
  - (2) Assistant district attorney II. Not less than \$30,552.00 \$40,884.00 nor more than 70 percent of the compensation of the district attorney;
  - (3) Assistant district attorney III. Not less than \$37,140.00 \$45,108.00 nor more than 80 percent of the compensation of the district attorney; and
  - (4) Assistant district attorney IV. Not less than \$42,966.00 \$52,176.00 nor more than 90 percent of the compensation of the district attorney."

### SECTION 3.

Said article is further amended in Code Section 15-18-14.1, relating to district attorney investigators, by striking subsection (d) and inserting in lieu thereof the following:

"(d) Each investigator appointed pursuant to this Code section shall be compensated based on a salary schedule established pursuant to Code Section 15-18-19. The salary range for the investigator appointed pursuant to this Code section shall be not less than \$23,490.00 ~~\$30,828.00 nor more than 70 percent of the compensation of the district attorney from state funds.~~"

## SECTION 4.

Said article is further amended by striking Code Section 15-18-16, relating to substitution of assistant on death or resignation of district attorney, and inserting in lieu thereof the following:

"15-18-16.

Upon the death or resignation of a district attorney, the chief assistant district attorney or, if there is no chief assistant district attorney, the assistant district attorney senior in time of service shall perform the duties of the deceased or resigned district attorney in his or her name until his such official's successor is appointed or elected and qualified. An assistant district attorney performing the duties of a deceased or resigned district attorney shall be compensated as provided for acting district attorneys in subsection (b) of Code Section 15-18-15."

## SECTION 5.

Said article is further amended by striking Code Section 15-18-20.1, relating to additional personnel for the district attorney's office, and inserting in lieu thereof the following:

1 "15-18-20.1.

2 Notwithstanding any other provision of law, the governing authority of any county or  
3 municipality within the judicial circuit which provides additional personnel for the office  
4 of district attorney may contract with the ~~Department of Administrative Services~~  
5 Prosecuting Attorneys' Council of the State of Georgia to provide such additional  
6 personnel in the same manner as is provided for state paid personnel in this article. Any  
7 such personnel shall be considered state employees and shall be entitled to the same fringe  
8 benefits as other state paid personnel employed by the district attorney pursuant to this  
9 article. The governing authority of such county or municipality shall transfer to the  
10 ~~department council~~ such funds as may be necessary to cover the compensation, benefits,  
11 travel, and other expenses for such personnel."

12 **SECTION 6.**

13 Code Section 45-7-4 of the Official Code of Georgia Annotated, relating to the compensation  
14 of certain state officials, is amended by striking paragraph (21) of subsection (a) of said Code  
15 section and inserting in lieu thereof the following:

16 "(21) Each district attorney-..... 88,635.00  
17 Each district attorney shall receive an annual salary in the amount provided  
18 by Code Section 15-18-10 and shall also receive any supplement paid to  
19 such district attorney by the county or counties of such district attorney's  
20 judicial circuit as may be provided for by law. Each district attorney shall  
21 also receive reimbursement of travel expenses as provided by law."

22 **SECTION 7.**

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