

HOUSE SUBSTITUTE TO SENATE BILL 450

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts; Chapter 2
2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections
3 generally; Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to
4 organization of county government; Title 45 of the Official Code of Georgia Annotated,
5 relating to public officers and employees; and Chapter 5 of Title 48 of the Official Code of
6 Georgia Annotated, relating to ad valorem taxation of property, so as to revise the pay
7 structure for certain county officers and officials; to revise the minimum salary schedules of
8 pay for sheriffs, tax commissioners, clerks of superior court, magistrates, and judges of
9 probate court; to provide for longevity pay increases for certain members of county
10 governing authorities; to increase the investigation fee for coroners; to provide for the
11 recalculation of minimum salaries in any year in which the Department of Community
12 Affairs publishes a census estimate for the county that is higher than the preceding decennial
13 census; to provide for legislative intent; to provide for related matters; to repeal conflicting
14 laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 **SECTION 1.**

17 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by striking
18 Code Section 15-6-88, relating to minimum annual salary schedule for clerks of superior
19 court, and inserting in lieu thereof a new Code Section 15-6-88 to read as follows:

20 "15-6-88.

21 (a) Any other provision of law to the contrary notwithstanding, the minimum annual salary
22 of each clerk of the superior court in each county of this state shall be fixed according to
23 the population of the county in which he or she serves, as determined by the United States
24 decennial census of ~~1990~~ 2000 or any future such census; provided, however, that such
25 annual salary shall be recalculated in any year following a census year in which the
26 Department of Community Affairs publishes a census estimate for the county prior to

1 July 1 in such year that is higher than the immediately preceding decennial census. Except
 2 as otherwise provided in subsection (b) of this Code section, each such clerk shall receive
 3 an annual salary, payable in equal monthly installments from the funds of the county, of
 4 not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
6 0 - 5,999	\$ 26,433.73 <u>29,832.20</u>
7 6,000 - 11,889	36,300.86 <u>40,967.92</u>
8 11,890 - 19,999	41,121.55 <u>46,408.38</u>
9 20,000 - 28,999	44,057.42 <u>49,721.70</u>
10 29,000 - 38,999	46,993.29 <u>53,035.03</u>
11 39,000 - 49,999	49,932.80 <u>56,352.46</u>
12 50,000 - 74,999	52,871.09 <u>63,164.60</u>
13 75,000 - 99,999	54,338.42 <u>67,800.09</u>
14 100,000 - 149,999	55,806.96 <u>72,434.13</u>
15 150,000 - 199,999	57,275.49 <u>77,344.56</u>
16 200,000 - 249,999	58,744.04 <u>84,458.82</u>
17 250,000 - 299,999	81,238.19 <u>91,682.66</u>
18 300,000 - 399,999	89,678.05 <u>101,207.60</u>
19 400,000 - 499,999	93,319.06 <u>105,316.72</u>
20 500,000 or more	96,960.07 <u>109,425.84</u>

21 (b) On and after July 1, ~~2001~~ 2007, whenever the employees in the classified service of
 22 the state merit system receive a cost-of-living increase or general performance based
 23 increase of a certain percentage or a certain amount, the amounts fixed in the minimum
 24 salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, and in
 25 subsection (b) of Code Section 15-10-105, or the amounts derived by increasing each of
 26 said amounts through the application of longevity increases pursuant to subsection (a) of
 27 Code Section 15-6-90, where applicable shall be increased by the same percentage or same
 28 amount applicable to such state employees. If the cost-of-living increase or general
 29 performance based increase received by state employees is in different percentages or
 30 different amounts as to certain categories of employees, the amounts fixed in the minimum
 31 salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, and in
 32 subsection (b) of Code Section 15-10-105, or the amounts derived through the application
 33 of longevity increases, shall be increased by a percentage or an amount not to exceed the
 34 average percentage or average amount of the general increase in salary granted to the state
 35 employees. The Office of Planning and Budget shall calculate the average percentage
 36 increase or average amount increase when necessary. The periodic changes in the amounts

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

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

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

25 SECTION 2.

26 Said title is further amended by striking Code Section 15-6-89, relating to additional
 27 remuneration for certain services for clerks of superior court, and inserting in lieu thereof a
 28 new Code Section 15-6-89 to read as follows:

29 "15-6-89.

30 In addition to the minimum salary provided in Code Section 15-6-88 or any other salary
 31 provided by any applicable general or local law, each clerk of the superior court of any
 32 county who also serves as clerk of a state court, city court, juvenile court, or civil court
 33 under any applicable general or local law of this state or who performs duties pursuant to
 34 paragraph (1) of subsection (a) of Code Section 15-12-1 shall receive for his or her services
 35 in such other court a salary of not less than ~~\$286.73~~ 323.59 per month, to be paid from the
 36 funds of the county. In the event any such court for which a clerk of the superior court is

1 serving as clerk is abolished, the clerk of the superior court shall not be entitled to any
2 salary heretofore received for service in such court."

3 **SECTION 3.**

4 Said title is further amended by striking Code Section 15-9-63, relating to schedule of
5 minimum salaries of judges of the probate court, and inserting in lieu thereof a new Code
6 Section 15-9-63 to read as follows:

7 "15-9-63.

8 (a)(1) Any other laws to the contrary notwithstanding, the minimum annual salary of
9 each judge of the probate court in this state shall be fixed according to the population of
10 the county in which he or she serves, as determined by the United States decennial census
11 of ~~1990~~ 2000 or any future such census; provided, however, that such annual salary shall
12 be recalculated in any year following a census year in which the Department of
13 Community Affairs publishes a census estimate for the county prior to July 1 in such year
14 that is higher than the immediately preceding decennial census. Each such judge of the
15 probate court shall receive an annual salary, payable in equal monthly installments from
16 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>
18 0 - 5,999	\$ 24,893.57 <u>29,832.20</u>
19 6,000 - 11,889	32,869.82 <u>40,967.92</u>
20 11,890 - 19,999	36,512.04 <u>46,408.38</u>
21 20,000 - 28,999	40,336.31 <u>49,721.70</u>
22 29,000 - 38,999	44,625.42 <u>53,035.03</u>
23 39,000 - 49,999	47,069.75 <u>56,352.46</u>
24 50,000 - 74,999	50,654.92 <u>63,164.60</u>
25 75,000 - 99,999	55,796.04 <u>67,800.09</u>
26 100,000 - 149,999	60,938.35 <u>72,434.13</u>
27 150,000 - 199,999	67,887.82 <u>77,344.56</u>
28 200,000 - 249,999	74,837.29 <u>84,458.82</u>
29 250,000 - 299,999	78,202.80 <u>91,682.66</u>
30 300,000 - 399,999	81,569.52 <u>101,207.60</u>
31 400,000 - 499,999	82,210.53 <u>105,316.72</u>
32 500,000 or more	88,851.53 <u>109,425.84</u>

33 (2) On and after July 1, ~~2001~~ 2007, whenever the employees in the classified service of
34 the state merit system receive a cost-of-living increase or general performance based
35 increase of a certain percentage or a certain amount, the amounts fixed in the minimum

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

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

32 (b) In any county in which more than 70 percent of the population of the county according
33 to the United States decennial census of 1990 or any future such census resides on property
34 of the United States government which is exempt from taxation by this state, the population
35 of the county for purposes of subsection (a) of this Code section shall be deemed to be the
36 total population of the county minus the population of the county which resides on property
37 of the United States government."

SECTION 4.

Said title is further amended by striking subsections (a) and (b) of Code Section 15-9-63.1, relating to compensation of probate judges for services as magistrate or chief magistrate, and inserting in lieu thereof new subsections (a) and (b) to read as follows:

"(a) Beginning January 1, 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 ~~\$10,316.20~~ 11,642.54; provided, however, that compensation for a probate judge shall not be reduced during his or her term of office.

(b) On and after July 1, ~~2001~~ 2007, 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."

SECTION 5.

Said title is further amended by striking Code Section 15-9-64, relating to supplementation of minimum salaries of probate judges, and inserting in lieu thereof a new Code Section 15-9-64 to read as follows:

"15-9-64.

The amount of minimum salary provided in Code Section 15-9-63 for the judges of the probate courts of any county presently on a salary who also hold and conduct elections or are responsible for conducting elections for members of the General Assembly under any applicable general or local law of this state shall be increased by ~~\$286.73~~ 323.59 per

1 month. The amount of the minimum salary provided in Code Section 15-9-63 for the
2 judges of the probate courts on a salary who are responsible for traffic cases under any
3 general or local law of this state shall also be increased by ~~\$358.34~~ 404.41 per month."

4 **SECTION 6.**

5 Said title is further amended by striking paragraphs (2), (4), and (5) of subsection (a) and the
6 entirety of subsection (c) of Code Section 15-10-23, relating to minimum compensation and
7 annual salary of magistrates, and inserting in lieu thereof new paragraphs (2), (4), and (5) and
8 a new subsection (c) to read as follows:

9 "(2) Unless otherwise provided by local law, effective January 1, ~~2002~~ 2007, the chief
10 magistrate of each county who serves in a full-time capacity other than those counties
11 where the probate judge serves as chief magistrate shall receive a minimum annual salary
12 of the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
14 0 - 5,999	\$ 24,893.57 <u>29,832.20</u>
15 6,000 - 11,889	32,869.82 <u>40,967.92</u>
16 11,890 - 19,999	36,512.04 <u>46,408.38</u>
17 20,000 - 28,999	40,336.31 <u>49,721.70</u>
18 29,000 - 38,999	44,625.42 <u>53,035.03</u>
19 39,000 - 49,999	47,069.75 <u>56,352.46</u>
20 50,000 - 74,999	50,654.92 <u>63,164.60</u>
21 75,000 - 99,999	55,796.04 <u>67,800.09</u>
22 100,000 - 149,999	60,938.35 <u>72,434.13</u>
23 150,000 - 199,999	67,887.82 <u>77,344.56</u>
24 200,000 - 249,999	74,837.29 <u>84,458.82</u>
25 250,000 - 299,999	78,202.80 <u>91,682.66</u>
26 300,000 - 399,999	81,569.52 <u>101,207.60</u>
27 400,000 - 499,999	85,210.53 <u>105,316.72</u>
28 500,000 or more	88,851.53 <u>109,425.84</u>

29 The minimum salary for each affected chief magistrate shall be fixed from the table in
30 this subsection according to the population of the county in which the chief magistrate
31 serves as determined by the United States decennial census of ~~1990~~ 2000 or any future
32 such census; provided, however, that such annual salary shall be recalculated in any year
33 following a census year in which the Department of Community Affairs publishes a
34 census estimate for the county prior to July 1 that is higher than the immediately
35 preceding decennial census. Notwithstanding the provisions of this subsection, unless

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

7 "(4) Unless otherwise provided by local law, each magistrate who serves in a full-time
 8 capacity other than the chief magistrate shall receive a minimum monthly salary of
 9 ~~\$3,412.84~~ \$3,851.46 per month or 90 percent of the monthly salary that a full-time chief
 10 magistrate would receive according to paragraph (2) of this subsection, whichever is less.

11 (5) All magistrates other than chief magistrates who serve in less than a full-time
 12 capacity or on call shall receive a minimum monthly salary of the lesser of ~~\$19.69~~ \$22.22
 13 per hour for each hour worked as certified by the chief magistrate to the county governing
 14 authority or 90 percent of the monthly salary that a full-time chief magistrate would
 15 receive according to paragraph (2) of this subsection; provided, however, that
 16 notwithstanding any other provisions of this subsection, no magistrate who serves in less
 17 than a full-time capacity shall receive a minimum monthly salary of less than ~~\$525.08~~
 18 \$592.58."

19 "(c) On and after July 1, ~~2001~~ 2007, whenever the employees in the classified service of
 20 the state merit system receive a cost-of-living increase or general performance based
 21 increase of a certain percentage or a certain amount, the amounts provided in subsection (a)
 22 of this Code section, as increased by the supplement, if any, provided by subsection (d) of
 23 Code Section 15-10-105 and as increased by the application of longevity increases pursuant
 24 to subsection (b) of this Code section, shall be increased by the same percentage or same
 25 amount applicable to such state employees. If the cost-of-living increase or general
 26 performance based increase received by state employees is in different percentages or
 27 different amounts as to certain categories of employees, the amounts provided in subsection
 28 (a) of this Code section, as increased by the supplement, if any, provided by subsection (d)
 29 of Code Section 15-10-105 and as increased by the application of longevity increases
 30 pursuant to subsection (b) of this Code section, shall be increased by a percentage or an
 31 amount not to exceed the average percentage or average amount of the general increase in
 32 salary granted to the state employees. The Office of Planning and Budget shall calculate
 33 the average percentage increase or average amount increase when necessary. The periodic
 34 changes in the amounts provided in subsection (a) of this Code section, as increased by the
 35 supplement, if any, provided by subsection (d) of Code Section 15-10-105 and as increased
 36 by the application of longevity increases pursuant to subsection (b) of this Code section,
 37 as authorized by this subsection, shall become effective on the first day of January

1 following the date that the cost-of-living increases or general performance based increases
 2 received by state employees become effective; provided, however, that if the cost-of-living
 3 increases received by state employees become effective on January 1, such periodic
 4 changes in 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 and as increased
 6 by the application of longevity increases pursuant to subsection (b) of this Code section,
 7 as authorized by this subsection, shall become effective on the same date that the
 8 cost-of-living increases or general performance based increases received by state
 9 employees become effective."

10

SECTION 7.

11 Said title is further amended by striking subsections (b), (c), and (d) of Code Section
 12 15-10-105, relating to selection of clerk of magistrate court and compensation, and inserting
 13 in lieu thereof new subsections (b), (c), and (d) to read as follows:

14 "(b) With the consent of the clerk of superior court the county governing authority may
 15 provide that the clerk of superior court shall serve as clerk of magistrate court and shall be
 16 compensated for his or her services as clerk of magistrate court in an amount not less than
 17 ~~\$286.73~~ \$323.59 per month. With the consent of the clerk of the superior court and clerk
 18 of the state court, the county governing authority may provide that the state court clerk
 19 shall serve as clerk of magistrate court and shall be compensated for his or her service as
 20 clerk of magistrate court in an amount not less than ~~\$286.73~~ \$323.59 per month. Such
 21 compensation shall be retained by the clerk of superior court as his or her personal funds
 22 without regard to whether he or she is otherwise compensated on a fee basis or salary basis
 23 or both.

24 (c) If the clerk of superior court or the clerk of state court does not serve as clerk of
 25 magistrate court, then the county governing authority may provide for the appointment by
 26 the chief magistrate of a clerk to serve at the pleasure of the chief magistrate. A clerk of
 27 magistrate court so appointed shall be compensated in an amount fixed by the county
 28 governing authority at not less than ~~\$286.73~~ \$323.59 per month.

29 (d) If there is no clerk of magistrate court, the chief magistrate or some other magistrate
 30 appointed by the chief magistrate shall perform the duties of clerk. A chief magistrate
 31 performing the duties of clerk, or another magistrate appointed by the chief magistrate to
 32 perform the duties of clerk, shall receive, in addition to any other compensation to which
 33 he or she is entitled, compensation for performing the duties of clerk, the amount of which
 34 compensation shall be fixed by the county governing authority at not less than ~~\$286.73~~
 35 \$323.59 per month."

SECTION 8.

Said title is further amended by striking subsection (a) of Code Section 15-16-20, relating to minimum annual salaries for sheriffs, and inserting in lieu thereof a new subsection (a) to read as follows:

"(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~~ 2000 or any future such census; provided, however, that such annual salary shall be recalculated in any year following a census year in which the Department of Community Affairs publishes a census estimate for the county prior to July 1 in such year that is higher than the immediately preceding decennial 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	\$ 37,256.02 <u>42,045.88</u>
6,000 - 11,889	41,573.04 <u>46,917.92</u>
11,890 - 19,999	47,742.11 <u>53,880.12</u>
20,000 - 28,999	52,570.10 <u>59,328.83</u>
29,000 - 38,999	57,396.87 <u>64,776.16</u>
39,000 - 49,999	62,227.28 <u>70,227.59</u>
50,000 - 74,999	67,054.03 <u>75,674.90</u>
75,000 - 99,999	69,333.30 <u>78,247.21</u>
100,000 - 149,999	71,612.57 <u>80,819.51</u>
150,000 - 199,999	74,161.29 <u>83,695.91</u>
200,000 - 249,999	76,710.00 <u>86,572.30</u>
250,000 - 299,999	83,964.09 <u>94,759.02</u>
300,000 - 399,999	93,766.90 <u>105,822.14</u>
400,000 - 499,999	97,407.90 <u>109,931.24</u>
500,000 or more	101,048.91 <u>114,040.36</u>

(2) On and after July 1, ~~2001~~ 2007, 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

1 increased by the same percentage or same amount applicable to such state employees.
 2 If the cost-of-living increase or general performance based increase received by state
 3 employees is in different percentages or different amounts as to certain categories of
 4 employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this
 5 subsection, and in Code Section 15-16-20.1, or the amounts derived through the
 6 application of longevity increases, shall be increased by a percentage or an amount not
 7 to exceed 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. The periodic
 10 changes in the amounts fixed in the minimum salary schedule in paragraph (1) of this
 11 subsection, and in Code Section 15-16-20.1, or the amounts derived through the
 12 application of longevity increases, as authorized by this paragraph shall become effective
 13 on the first day of January following the date that the cost-of-living increases received by
 14 state employees become effective; provided, however, that if the cost-of-living increases
 15 or general performance based increases received by state employees become effective on
 16 January 1, such periodic changes in the amounts fixed in the minimum salary schedule
 17 in paragraph (1) of this subsection, and in Code Section 15-16-20.1, or the amounts
 18 derived through the application of longevity increases, as authorized by this paragraph
 19 shall become effective on the same date that the cost-of-living increases or general
 20 performance based increases received by state employees become effective.

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

27 **SECTION 9.**

28 Said title is further amended by striking Code Section 15-16-20.1, relating to additional
 29 salary for sheriffs, and inserting in lieu thereof a new Code Section 15-16-20.1 to read as
 30 follows:

31 "15-16-20.1.

32 In addition to the minimum salary provided in Code Section 15-16-20, the sheriff of any
 33 county who performs the duties of a sheriff for a state court, probate court, magistrate
 34 court, juvenile court, or county recorder's court under any applicable general or local law
 35 of this state shall receive for his or her services in such court or courts a salary of not less

1 than ~~\$286.73~~ 323.59 per month, to be paid from the funds of the county. A sheriff who
 2 serves in more than one such court shall receive only one such salary."

3 **SECTION 10.**

4 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
 5 elections generally, is amended by striking subsection (c) of Code Section 21-2-213, relating
 6 to county deputy registrars, clerical help, and appointment of county officer or employee as
 7 chief deputy registrar, and inserting in lieu thereof a new subsection (c) to read as follows:
 8 "(c) In every county wherein the registrars do not maintain an office which is open and
 9 staffed during regular business hours, the registrars shall designate and appoint as chief
 10 deputy registrar a full-time county officer or employee for the purpose of registering
 11 eligible electors and performing other duties as may be required by the board of registrars.
 12 The governing authority of the county shall provide for the compensation of the chief
 13 deputy registrar in an amount not less than ~~\$259.88~~ 293.29 per month. The name, business
 14 address, telephone number, and any other pertinent information relative to the chief deputy
 15 registrar shall be forwarded by the registrars to the Secretary of State's office, where such
 16 information shall be maintained on file."

17 **SECTION 11.**

18 Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to organization of
 19 county government, is amended by adding a new Code Section 36-5-29 to read as follows:
 20 "36-5-29.
 21 (a) Compensation to which a member of a county governing authority is entitled under
 22 general or local law, including amounts provided for in Code Sections 36-5-27 and 36-5-28
 23 shall be increased by multiplying said amounts by the percentage which equals 2.5 percent
 24 times the number of completed, four-year terms of office served by such member of a
 25 county governing authority where such terms have been completed after December 31,
 26 2004, effective the first day of January following the completion of each such period of
 27 service.
 28 (b) For a member of a county governing authority elected to two-year terms of office or
 29 six-year terms of office, the percentage increase provided for in subsection (a) of this Code
 30 section shall be 1.25 percent times the number of completed two-year terms or 3.75 percent
 31 times the number of completed six-year terms as applicable."

32 **SECTION 12.**

1 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
 2 is amended by striking subsection (b) of Code Section 45-16-27, relating to inquests and
 3 coroner's investigation fee, and inserting in its place a new subsection (b) to read as follows:
 4 "(b) On and after July 1, ~~1999~~ 2006, coroners shall be entitled to an investigation fee of
 5 ~~\$125.00~~ \$250.00 where no jury is impaneled or a fee of \$250.00 where a jury is impaneled
 6 and shall be paid upon receipt of a monthly statement to the county treasury. A deputy
 7 coroner shall receive the same fee as the coroner for the performance of services in place
 8 of the coroner and shall be paid upon receipt of a monthly statement to the county treasury.
 9 Such fee shall be paid within ten days after receipt of the coroner's monthly statement by
 10 the county where the investigation or inquest is held except in counties where the coroner
 11 receives an annual salary, in which case no fee shall be imposed upon the county by such
 12 salaried coroner or deputy coroner. A higher investigation fee for a coroner or deputy
 13 coroner may be provided by local legislation."

14 **SECTION 13.**

15 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem
 16 taxation of property, is amended by striking subsection (g) of Code Section 48-5-137,
 17 relating to tax collectors and tax commissioners as ex officio sheriffs, and inserting in lieu
 18 thereof a new subsection (g) to read as follows:

19 "(g) Each tax collector or tax commissioner who is compensated on a salary basis and who
 20 is authorized to act as an ex officio sheriff under this Code section and whose office
 21 performs substantially all of the duties of the sheriff with respect to tax executions shall be
 22 entitled to a salary of ~~\$309.93~~ 349.78 per month for his or her service as ex officio sheriff.
 23 Such compensation shall be in addition to any other compensation to which such tax
 24 commissioner or tax collector is entitled. Such additional compensation shall not be paid
 25 to any tax commissioner who is compensated solely by the fee system of compensation;
 26 but such compensation shall be paid to any tax commissioner who is compensated in part
 27 by fees and in part by a salary. Such compensation shall be paid in equal monthly
 28 installments from county funds."

29 **SECTION 14.**

30 Said chapter is further amended by striking subsection (b) of Code Section 48-5-183, relating
 31 to salaries of tax collectors and tax commissioners, and inserting in lieu thereof a new
 32 subsection (b) to read as follows:

33 "(b)(1) Any other law to the contrary notwithstanding, except for the provisions of
 34 paragraph (2) of this subsection, the minimum annual salary of each tax collector and tax
 35 commissioner who is compensated by an annual salary shall be fixed according to the

1 population of the county in which he or she serves, as determined by the United States
 2 decennial census of ~~1990~~ 2000 or any future such census; provided, however, that such
 3 annual salary shall be recalculated in any year following a census year in which the
 4 Department of Community Affairs publishes a census estimate for the county prior to
 5 July 1 in such year that is higher than the immediately preceding decennial census. Each
 6 such officer shall receive an annual salary, payable in equal monthly installments from
 7 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>
9 0 - 5,999	\$ 26,336.77 <u>29,832.20</u>
10 6,000 - 11,889	32,909.17 <u>40,967.92</u>
11 11,890 - 19,999	37,100.42 <u>46,408.38</u>
12 20,000 - 28,999	39,509.07 <u>49,721.70</u>
13 29,000 - 38,999	42,795.28 <u>53,035.03</u>
14 39,000 - 49,999	47,723.93 <u>56,352.46</u>
15 50,000 - 74,999	55,968.90 <u>63,164.60</u>
16 75,000 - 99,999	60,076.32 <u>67,800.09</u>
17 100,000 - 149,999	64,182.45 <u>72,434.13</u>
18 150,000 - 199,999	68,533.49 <u>77,344.56</u>
19 200,000 - 249,999	72,884.53 <u>84,458.82</u>
20 250,000 - 299,999	78,602.96 <u>91,682.66</u>
21 300,000 - 399,999	84,321.40 <u>101,207.60</u>
22 400,000 - 499,999	88,250.70 <u>105,316.72</u>
23 500,000 or more	92,179.99 <u>109,425.84</u>

24 (2) On and after July 1, ~~2001~~ 2007, whenever the employees in the classified service of
 25 the state merit system receive a cost-of-living increase or general performance based
 26 increase of a certain percentage or a certain amount, the amounts fixed in the minimum
 27 salary schedule in paragraph (1) of this subsection, in subsection (g) of Code Section
 28 48-5-137, and, where applicable, in subsection (c) of Code Section 21-2-213, or the
 29 amounts derived by increasing each of said amounts through the application of longevity
 30 increases pursuant to subsection (d) of this Code section, where applicable shall be
 31 increased by the same percentage or same amount applicable to such state employees.
 32 If the cost-of-living increase or general performance based increase received by state
 33 employees is in different percentages or different amounts as to certain categories of
 34 employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this
 35 subsection, in subsection (g) of Code Section 48-5-137, and, where applicable, in
 36 subsection (c) of Code Section 21-2-213, or the amounts derived through the application

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

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

25 **SECTION 15.**

26 It is the intent of the General Assembly that, for those county officials covered in this Act
 27 whose minimum salaries are increased by operation of law when the General Assembly
 28 authorizes a cost-of-living increase or general performance based increase for the employees
 29 in the classified service of the state merit system, such county officials shall not receive any
 30 such increase authorized by the General Assembly in the Fiscal Year 2007 Appropriations
 31 Act since such increase is covered in the minimum salary schedules under this Act.

32 **SECTION 16.**

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