

House Bill 268 (AS PASSED HOUSE AND SENATE)

By: Representatives Crawford of the 127th, Fleming of the 117th, and Ralston of the 7th

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 effective dates; to provide for related matters; to repeal conflicting
 9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 1 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated, relating to
 13 district attorneys, is amended by striking subsection (c) of Code Section 15-18-14, relating
 14 to the appointment, qualifications, and compensation of assistant district attorneys, and
 15 inserting in lieu thereof the following:

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

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

SECTION 2.

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 3.

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 4.

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:

"15-18-20.1.

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

SECTION 5.

1
2 Code Section 45-7-4 of the Official Code of Georgia Annotated, relating to the compensation
3 of certain state officials, is amended by striking paragraph (21) of subsection (a) of said Code
4 section and inserting in lieu thereof the following:

5 “(21) Each district attorney ~~88,635.00~~107,905.00
6 Each district attorney shall also receive any supplement paid to
7 such district attorney by the county or counties of such district
8 attorney’s judicial circuit as may be provided for by law. Each
9 district attorney shall also receive reimbursement of travel
10 expenses as provided by law.”

SECTION 6.

11
12 (a) This section and Sections 3, 4, and 7 of this Act shall become effective upon its approval
13 by the Governor or upon its becoming law without such approval.
14 (b) Sections 1, 2, and 5 of this Act shall become effective on July 1, 2006.

SECTION 7.

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