

House Bill 1164

By: Representatives Fludd of the 64<sup>th</sup>, Rogers of the 29<sup>th</sup>, Jones of the 62<sup>nd</sup>, Dudgeon of the 25<sup>th</sup>, Floyd of the 99<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to  
2 salaries and fees, so as to increase the compensation of members of the General Assembly;  
3 to provide for certain automatic increases; to provide for related matters; to provide an  
4 effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salaries and fees,  
8 is amended by revising Code Section 45-7-4, relating to annual salaries of certain state  
9 officials, in paragraph (22) of subsection (a) and subsection (b) as follows:

10 "(22) Each member of the General Assembly . . . . . ~~16,200.00~~  
25,000.00

11 (A) Reserved.

12 (B) Each member of the General Assembly shall also receive the allowances provided  
13 by law. The amount of the daily expense allowance which each member is entitled to  
14 receive under the provisions of Code Section 28-1-8 shall be as provided in that Code  
15 section. The mileage allowance for the use of a personal car on official business shall  
16 be the same as that received by other state officials and employees.

17 (C) In addition to any other compensation and allowances authorized for members of  
18 the General Assembly, each member may be reimbursed for per diem differential and  
19 for actual expenses incurred in the performance of duties within the state as a member  
20 of the General Assembly in an amount not to exceed \$7,000.00 per year. Expenses  
21 reimbursable up to such amount shall be limited to one or more of the following  
22 purposes: lodging, meals, per diem differential, postage, personal services, printing and  
23 publications, rents, supplies (including software), telecommunications, transportation,  
24 utilities, and purchasing or leasing of equipment. If equipment purchased by a member  
25 has a depreciated value of \$100.00 or less when such member leaves office, the

26 equipment does not need to be returned to the state. No reimbursement shall be made  
27 for any postage which is used for a political newsletter. No reimbursement shall be  
28 paid for lodging or meals for any day for which a member receives the daily expense  
29 allowance as provided in this paragraph. Such expenses shall be reimbursed upon the  
30 submission of sworn vouchers to the legislative fiscal office. Such sworn vouchers  
31 shall be accompanied by a supporting document or documents showing payment for  
32 each expense claimed or an explanation of the absence of such documentation. No  
33 sworn voucher or supporting document shall be required for per diem differential.

34 (D) The amount of per diem differential which may be claimed for each day under  
35 subparagraph (C) of this paragraph shall be the difference between the daily expense  
36 allowance authorized for members of the General Assembly and \$119.00; provided,  
37 however, that the General Appropriations Act for any fiscal year may increase such  
38 amount of \$119.00 per day to an amount not in excess of the federal per diem rate then  
39 in effect for the state capital as specified by the General Services Administration. Per  
40 diem differential shall be paid by the legislative fiscal office to the member upon the  
41 member's notification to the legislative fiscal office of the days for which the daily  
42 expense allowance was received for which the member wishes to claim the per diem  
43 differential, and the legislative fiscal office shall keep a record of the days for which per  
44 diem differential is so claimed and paid.

45 (E) For the purposes of this paragraph, a year shall begin on the convening date of the  
46 General Assembly in regular session each year and end on the day prior to the  
47 convening of the General Assembly in the next calendar year. Any voucher or claim  
48 for any reimbursement for any year as defined in this paragraph shall be submitted no  
49 later than the fifteenth of April immediately following the end of such year. No  
50 reimbursement shall be made on any voucher or claim submitted after that date. Any  
51 amounts remaining in such expense account at the end of the first year of the two year  
52 biennium may be claimed for expenses incurred during the second year of the two year  
53 biennium. Any amounts remaining in any expense account which are not so claimed  
54 by April 15 of the year following the second year of the biennium and any amounts  
55 claimed which are returned as hereafter provided for in this paragraph shall lapse and  
56 shall be remitted by the legislative fiscal office to the general fund of the state treasury.  
57 Any former member of the General Assembly may be reimbursed for expenses incurred  
58 while a member of the General Assembly upon compliance with the provisions of this  
59 paragraph. The Legislative Services Committee is empowered to provide such  
60 procedures as it deems advisable to administer the provisions of this paragraph,  
61 including, but not limited to, definitions of the above list of items for which  
62 reimbursement may be made and the form of the voucher or claim which must be

63 submitted to the legislative fiscal office. In the event of any disagreement as to whether  
 64 any reimbursement shall be made or any allowance shall be paid, the Legislative  
 65 Services Committee shall make the final determination. In the event any  
 66 reimbursement is made or any allowance is paid and it is later determined that such  
 67 reimbursement or payment was made in error, the person to whom such reimbursement  
 68 or payment was made shall remit to the legislative fiscal office the amount of money  
 69 involved. In the event any such person refuses to make such remittance, the legislative  
 70 fiscal office is authorized to withhold the payment of any other moneys to which such  
 71 person is entitled until the amount of such reimbursement or payment which was made  
 72 in error shall be realized."

73 "(b)(1) As a cost-of-living adjustment except as ~~qualified below~~ as to members and  
 74 member-officers of the General Assembly, the annual salary of each state official whose  
 75 salary is established by Code Section 45-7-3, this Code section, and Code Sections  
 76 45-7-20 and 45-7-21, ~~including~~ excluding members of the General Assembly, the  
 77 Speaker of the House of Representatives, the President Pro Tempore of the Senate, and  
 78 the Speaker Pro Tempore of the House of Representatives, may be increased by the  
 79 General Assembly in the General Appropriations Act by a percentage not to exceed the  
 80 average percentage of the general increase in salary as may from time to time be granted  
 81 to employees of the executive, judicial, and legislative branches of government.  
 82 However, any increase for such officials shall not include within-grade step increases for  
 83 which employees subject to compensation plans authorized and approved in accordance  
 84 with Code Section 45-20-4 are eligible. Any increase granted pursuant to this subsection  
 85 shall become effective at the same time that funds are made available for the increase for  
 86 such employees, ~~except increases for members and member-officers of the General~~  
 87 ~~Assembly. That portion of the increase determined by the Legislative Services~~  
 88 ~~Committee to reflect a cost-of-living increase based upon objective economic criteria~~  
 89 ~~shall become effective for members and member-officers at the same time that funds are~~  
 90 ~~made available for the increase for such employees. The balance of the increase for~~  
 91 ~~members and member-officers of the General Assembly shall become effective on the~~  
 92 ~~convening of the next General Assembly in January of the next odd-numbered year. The~~  
 93 Office of Planning and Budget shall calculate the average percentage increase.

94 (2) Whenever the state employees subject to compensation plans authorized and  
 95 approved in accordance with Code Section 45-20-4 receive a cost-of-living increase or  
 96 general performance based increase of a certain percentage or a certain amount, the salary  
 97 of members of the General Assembly and officers of the General Assembly, including the  
 98 Speaker of the House of Representatives, the President Pro Tempore of the Senate, and  
 99 the Speaker Pro Tempore of the House of Representatives, shall be increased by the same

100 percentage or same amount applicable to such state employees. If the cost-of-living  
101 increase or general performance based increase received by state employees is in different  
102 percentages or different amounts as to certain categories of employees, the salary of such  
103 members and officers of the General Assembly shall be increased by a percentage or an  
104 amount not to exceed the average percentage or average amount of the general increase  
105 in salary granted to the state employees. The Office of Planning and Budget shall  
106 calculate the average percentage increase or average amount increase when necessary.  
107 The changes in salary shall become effective on the same date that the cost-of-living  
108 increases or general performance based increases received by such state employees  
109 become effective."

110 **SECTION 2.**

111 This Act shall become effective on January 1, 2019.

112 **SECTION 3.**

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