

Senate Bill 254

By: Senators Williams of the 27th, Kirk of the 13th and McKoon of the 29th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding sheriffs, so as to provide for a minimum annual
3 salary for each deputy appointed by each sheriff; to require the commissioner of public safety
4 to publish certain minimum annual salary information of certain members of the Georgia
5 State Patrol; to provide for cost-of-living and general performance based increases for each
6 deputy appointed by each sheriff whenever such increases are authorized for state employees;
7 to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and
8 employees, so as to create the Local Law Enforcement Officer Compensation Commission;
9 to provide for membership; to provide for assignment to the Department of Administrative
10 Services; to provide for rules and regulations; to provide for related matters; to provide for
11 an effective date; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 SECTION 1.

14 Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
15 general provisions regarding sheriffs, is amended by revising Code Section 15-16-23,
16 relating to appointment of deputy sheriffs and bond, as follows:

17 "15-16-23.

18 (a) Sheriffs are authorized in their discretion to appoint one or more deputies. Each deputy
19 shall be required to execute a bond with a surety in the amount of \$5,000.00 payable to the
20 sheriff and conditioned upon the faithful accounting for all public and other funds or
21 property coming into the deputy's custody, control, care, or possession.

22 (b)(1) The annual salary of each deputy appointed by each sheriff shall be not less than
23 the minimum annual salary of a trooper employed by the Georgia State Patrol provided
24 for in Article 2 of Chapter 2 of Title 35.

25 (2) For purposes of paragraph (1) of this subsection, on June 1 of each year the
26 commissioner of public safety shall publish the minimum annual salary of such trooper

27 to be paid in the next fiscal year beginning on July 1 of the same year. Each sheriff shall
 28 use such publication in determining the salary to be paid to each deputy beginning on
 29 July 1 of the year of such publication through June 30 of the following year as provided
 30 for in paragraph (1) of this subsection.

31 (3) Whenever state employees subject to compensation plans authorized and approved
 32 in accordance with Code Section 45-20-4 receive a cost-of-living increase or general
 33 performance based increase of a certain percentage or a certain amount, the annual salary
 34 of each deputy appointed by a sheriff shall be increased by the same percentage or same
 35 amount applicable to such state employees. If the cost-of-living increase or general
 36 performance based increase received by state employees is in different percentages or
 37 different amounts as to certain categories of employees, the annual salary of each deputy
 38 appointed by each sheriff shall be increased by a percentage or an amount not to exceed
 39 the average percentage or average amount of the general increase in salary granted to the
 40 state employees. The Office of Planning and Budget shall calculate the average
 41 percentage increase or average amount increase when necessary. The periodic changes
 42 in the annual salary of each deputy appointed by each sheriff as authorized by this
 43 paragraph shall become effective on the first day of January following the date that the
 44 cost-of-living or general performance based increases received by state employees
 45 become effective; provided, however, that if the cost-of-living increases or general
 46 performance based increases received by state employees become effective on January
 47 1, such periodic changes in the annual salary of each deputy appointed by each sheriff as
 48 authorized by this paragraph shall become effective on the same date that the
 49 cost-of-living increases or general performance based increases received by state
 50 employees become effective."

51 **SECTION 2.**

52 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
 53 is amended by adding a new chapter to read as follows:

54 "CHAPTER 25

55 45-25-1.

56 There is created the Local Law Enforcement Officer Compensation Commission which
 57 shall be composed of the commissioner of administrative services, one member who is the
 58 chief executive engaging in the management of a county or municipal law enforcement
 59 agency in this state appointed by the Georgia Association of Chiefs of Police, a sheriff
 60 appointed by the Georgia Sheriffs' Association, the executive director of the Association

61 County Commissioners of Georgia, the executive director of the Georgia Municipal
62 Association, two members of the Senate appointed by the President of the Senate, and two
63 members of the House of Representatives appointed by the Speaker of the House of
64 Representatives. The commissioner of administrative services shall be the chairperson of
65 the commission, and the commission shall be assigned to the Department of Administrative
66 Services for administrative purposes. The commission shall meet at least semiannually and
67 upon the call of the commissioner of administrative services.

68 45-25-2.

69 (a) The commission shall provide for an ongoing review of the salaries and benefits of
70 local law enforcement officers in this state using data and information provided by
71 governing authorities of counties and municipalities. The commission shall annually file
72 a report concerning its findings about the salaries and benefits of local law enforcement
73 officers in this state with the General Assembly and may release any other reports on
74 salaries and benefits of local law enforcement officers in this state.

75 (b) Each local law enforcement department or agency of a county or municipality shall
76 provide compensation data to the commission in such form and at such intervals as
77 determined by the commission and pursuant to rules and regulations promulgated by the
78 Department of Administrative Services."

79 **SECTION 3.**

80 This Act shall become effective upon the approval by the Governor or upon its becoming law
81 without such approval.

82 **SECTION 4.**

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