

The House Committee on Governmental Affairs offers the following substitute to HB 814:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding coroners, so as to provide an additional method of
3 establishing compensation for coroners and deputy coroners; to revise certain provisions
4 relating to coroners' inquests and death investigation fees; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

9 Article 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to
10 general provisions regarding coroners, is amended by adding a new Code section to read as
11 follows:

12 "45-16-12.

13 (a)(1) The governing authority of a county is authorized to establish the compensation of
14 coroners or deputy coroners of the county. The authorization under this paragraph is an
15 alternative to the method of compensation provided for under Code Section 45-16-11, if
16 such Code section is applicable to such county, and an alternative to providing such
17 compensation by local Act. In the same manner as required for establishing the salary of
18 the coroner by local Act, any salary established under this Code section shall be of full
19 force and effect except where it provides for a salary lower than provided for under Code
20 Section 45-16-11, if such Code section is applicable to such county, in which event the
21 salary under such Code section shall prevail.

22 (2) Compensation under paragraph (1) of this subsection may also include:

23 (A) Employee benefits;

24 (B) Cost-of-living increases calculated in the same manner as authorized under
25 paragraph (2) of subsection (a) of Code Section 45-16-11; provided, however, that if
26 such cost-of-living increases are included, then any cost-of-living increases provided
27 to county employees in general shall not be included;

- 28 (C) Longevity increases calculated in the same manner as authorized under subsection
 29 (b) of Code Section 46-16-11; or
 30 (D) Any combination of the items under this paragraph.
 31 (b)(1) The governing authority of a county is authorized to establish the compensation
 32 of deputy coroners of the county.
 33 (2) Compensation under paragraph (1) of this subsection may also include:
 34 (A) Employee benefits;
 35 (B) Cost-of-living increases calculated in the same manner as authorized under
 36 paragraph (2) of subsection (a) of Code Section 45-16-11; provided, however, that if
 37 such cost-of-living increases are included, then any cost-of-living increases provided
 38 to county employees in general shall not be included; or
 39 (C) Any combination of the items under this paragraph."

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SECTION 2.

41 Said chapter is further amended by revising subsections (b) and (b.1) of Code
 42 Section 45-16-27, relating to when inquest to be held, special situations, coroner's fee,
 43 issuance of subpoenas, cost of copying, and limited disclosure of photographs, as follows:

44 "(b) On and after January 1, 2007, coroners shall be entitled to an investigation fee of
 45 \$175.00 where no jury is impaneled or a fee of \$250.00 where a jury is impaneled and shall
 46 be paid upon receipt of a monthly statement to the county treasury. A deputy coroner shall
 47 receive the same fee as the coroner for the performance of services in place of the coroner
 48 and shall be paid upon receipt of a monthly statement to the county treasury. Such fee shall
 49 be paid within ten days after receipt of the coroner's or deputy coroner's monthly statement
 50 by the county where the investigation or inquest is held except in counties where the
 51 coroner or deputy coroner receives an annual salary established ~~through local legislation~~
 52 either pursuant to a local Act or as authorized under Code Section 45-16-12, in which case
 53 no fee shall be imposed upon the county by such salaried coroner or deputy coroner.

54 ~~(b.1) A local Act providing for~~ When the compensation of a coroner or deputy coroner is
 55 established either by local Act or as authorized under Code Section 45-16-12, such
 56 compensation shall remain in full force and effect, except as otherwise provided in this
 57 subsection. In those instances where the salary under such local Act provides for a salary
 58 or under Code Section 46-16-12 is in an amount less than the amount of compensation such
 59 coroner or deputy coroner would be entitled to pursuant to subsection (b) of this Code
 60 section, the coroner or deputy coroner may elect to be compensated pursuant to subsection
 61 (b) of this Code section in lieu of the compensation provided for by local Act or pursuant
 62 to Code Section 45-16-12. The coroner or deputy coroner shall provide written notice to

63 the county governing authority of such election no later than October 1 of any year to be
64 effective January 1 of the next calendar year."

65 **SECTION 3.**

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