

Senate Bill 81

By: Senators Seay of the 34th, Jordan of the 6th, Harbison of the 15th, Mullis of the 53rd, Sims of the 12th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding salaries and fees, so as to change the compensation
3 of members of the General Assembly and the method by which such compensation is
4 calculated; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article 1 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to
8 general provisions regarding salaries and fees, is amended by revising paragraph (22) of
9 subsection (a) and subsection (b) of Code Section 45-7-4, relating to annual salaries of
10 certain state officials and cost-of-living adjustments, as follows:

11 "(22) Each member of the General Assembly 16,200.00

12 (A) ~~Reserved~~ For each biennial session, each member of the General Assembly shall
13 receive an annual salary in an amount equal to the median annual household income for
14 citizens of the State of Georgia as calculated by the American Community Survey of
15 the United States Census for the year immediately preceding the beginning of each
16 biennial session as determined by the state auditor which take effect on the convening
17 of the General Assembly for such biennial session in each odd-numbered year.

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

23 (C) In addition to any other compensation and allowances authorized for members of
24 the General Assembly, each member may be reimbursed for per diem differential and
25 for actual expenses incurred in the performance of duties as a member of the General
26 Assembly in an amount not to exceed \$7,000.00 per year. Expenses reimbursable up

27 to such amount shall be limited to one or more of the following purposes: lodging,
28 meals, per diem differential, postage, personal services, printing and publications, rents,
29 supplies (including software), telecommunications, transportation, utilities, purchasing
30 or leasing of equipment, and other reasonable expenditures directly related to the
31 performance of a member's duties. If equipment purchased by a member has a
32 depreciated value of \$100.00 or less when such member leaves office, the equipment
33 does not need to be returned to the state. No reimbursement shall be made for any
34 postage which is used for a political newsletter. No reimbursement shall be paid for
35 lodging or meals for any day for which a member receives the daily expense allowance
36 as provided in this paragraph. Eligible expenses shall be reimbursed following the
37 submission of vouchers to the legislative fiscal office in compliance with the
38 requirements of this subparagraph and subject to the provisions of subparagraph (E) of
39 this paragraph. Such vouchers shall be submitted in such form and manner as
40 prescribed by the Legislative Services Committee pursuant to subparagraph (E) of this
41 paragraph, provided that each such voucher shall be accompanied by a supporting
42 document or documents, or legible copies thereof, showing payment for each expense
43 claimed or an explanation of the absence of such documentation; in addition, each such
44 voucher shall include a certification by the member that the information contained in
45 such voucher and supporting document or documents, or legible copies thereof, is true
46 and correct and that such expenses were incurred by the member. The provisions of
47 Code Section 16-10-20 shall be applicable to any person submitting such certified
48 vouchers and supporting documents or copies the same as if the General Assembly
49 were a department or agency of state government. No such voucher or supporting
50 document shall be required for per diem differential.

51 (D) The amount of per diem differential which may be claimed for each day under
52 subparagraph (C) of this paragraph shall be the difference between the daily expense
53 allowance authorized for members of the General Assembly and \$119.00; provided,
54 however, that the General Appropriations Act for any fiscal year may increase such
55 amount of \$119.00 per day to an amount not in excess of the federal per diem rate then
56 in effect for the state capital as specified by the General Services Administration. Per
57 diem differential shall be paid by the legislative fiscal office to the member upon the
58 member's notification to the legislative fiscal office of the days for which the daily
59 expense allowance was received for which the member wishes to claim the per diem
60 differential, and the legislative fiscal office shall keep a record of the days for which per
61 diem differential is so claimed and paid.

62 (E) For the purposes of this paragraph, a year shall begin on the convening date of the
63 General Assembly in regular session each year and end on the day prior to the

64 convening of the General Assembly in the next calendar year. Any voucher or claim
65 for any reimbursement for any year as defined in this paragraph shall be submitted no
66 later than the fifteenth of April immediately following the end of such year. No
67 reimbursement shall be made on any voucher or claim submitted after that date. Any
68 amounts remaining in such expense account at the end of the first year of the ~~two-year~~
69 two-year biennium may be claimed for expenses incurred during the second year of the
70 ~~two-year~~ two-year biennium. Any amounts remaining in any expense account which
71 are not so claimed by April 15 of the year following the second year of the biennium
72 and any amounts claimed which are returned as hereafter provided for in this paragraph
73 shall lapse and shall be remitted by the legislative fiscal office to the general fund of the
74 state treasury. Any former member of the General Assembly may be reimbursed for
75 expenses incurred while a member of the General Assembly upon compliance with the
76 provisions of this paragraph. The Legislative Services Committee is empowered to
77 provide such procedures as it deems advisable to administer the provisions of this
78 paragraph, including, but not limited to, definitions of the above list of items for which
79 reimbursement may be made; provided, however, that the term 'other reasonable
80 expenditures directly related to the performance of a member's duties' shall be as
81 defined by policies adopted by the Speaker of the House of Representatives and by the
82 Senate Administrative Affairs Committee as to reimbursement of such expenditures
83 incurred by members of the House and Senate, respectively; and provided, further, that
84 the amount of expenses which may be reimbursed within the limits of subparagraph (C)
85 of this paragraph for travel outside the state may be as provided by policies adopted by
86 the Speaker of the House of Representatives and by the Senate Administrative Affairs
87 Committee as to such expenditures of members of the House and Senate, respectively.
88 The Legislative Services Committee is further empowered to prescribe the form of the
89 voucher or claim which must be submitted to the legislative fiscal office. In the event
90 of any disagreement as to whether any reimbursement shall be made or any allowance
91 shall be paid, the Legislative Services Committee shall make the final determination;
92 except that in the event of any disagreement as to whether any reimbursement under
93 subparagraph (C) of this paragraph shall be made for other reasonable expenses directly
94 related to the performance of a member's duties or for travel outside the state, the
95 Speaker of the House of Representatives shall make the final determination as to such
96 expenses incurred by a member of the House, and the Senate Administrative Affairs
97 Committee shall make the final determination as to such expenses incurred by a
98 member of the Senate. In the event any reimbursement is made or any allowance is
99 paid and it is later determined that such reimbursement or payment was made in error,
100 the person to whom such reimbursement or payment was made shall remit to the

101 legislative fiscal office the amount of money involved. In the event any such person
102 refuses to make such remittance, the legislative fiscal office is authorized to withhold
103 the payment of any other moneys to which such person is entitled until the amount of
104 such reimbursement or payment which was made in error shall be realized."

105 "(b) As an adjustment except as qualified below as to ~~members and~~ member-officers of the
106 General Assembly, the annual salary of each state official whose salary is established by
107 Code Section 45-7-3, this Code section, and Code Sections 45-7-20 and 45-7-21, including
108 ~~members of the General Assembly~~, the Speaker of the House of Representatives, the
109 President Pro Tempore of the Senate, and the Speaker Pro Tempore of the House of
110 Representatives, may be increased by the General Assembly in the General Appropriations
111 Act by a percentage not to exceed the average percentage of the increase in salary as may
112 from time to time be granted to employees of the executive, judicial, and legislative
113 branches of government. However, any increase for such officials shall not include
114 within-grade step increases for which employees subject to compensation plans authorized
115 and approved in accordance with Code Section 45-20-4 are eligible. Any increase granted
116 pursuant to this subsection shall become effective at the same time that funds are made
117 available for the increase for such employees, except increases for ~~members and~~
118 member-officers of the General Assembly. That portion of the increase determined by the
119 Legislative Services Committee to reflect a cost-of-living increase based upon objective
120 economic criteria shall become effective for ~~members and~~ member-officers at the same
121 time that funds are made available for the increase for such employees. The balance of the
122 increase for ~~members and~~ member-officers of the General Assembly shall become effective
123 on the convening of the next General Assembly in January of the next odd-numbered year.
124 The Office of Planning and Budget shall calculate the average percentage increase."

125 **SECTION 2.**

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