

Senate Bill 171

By: Senators Wilkinson of the 50th, Hufstetler of the 52nd, Ginn of the 47th, Mullis of the 53rd, Gooch of the 51st and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15, Chapter 2 of Title 21, and Chapter 5 of Title 48 of the Official Code of
2 Georgia Annotated, relating to courts, primaries and elections generally, and ad valorem
3 taxation of property, respectively, so as to modify the compensation of various local
4 government officials; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
9 subsection (a) of Code Section 15-6-88, relating to minimum annual salary schedule for
10 clerks of superior court, as follows:

11 "(a) Any other provision of law to the contrary notwithstanding, the minimum annual
12 salary of each clerk of the superior court in each county of this state shall be fixed
13 according to the population of the county in which he or she serves, as determined by the
14 United States decennial census of ~~2000~~ 2010 or any future such census; provided, however,
15 that such annual salary shall be recalculated in any year following a census year in which
16 the Department of Community Affairs publishes a census estimate for the county prior to
17 July 1 in such year that is higher than the immediately preceding decennial census. Except
18 as otherwise provided in subsection (b) of this Code section, each such clerk shall receive
19 an annual salary, payable in equal monthly installments from the funds of the county, of
20 not less than the amount fixed in the following schedule:

	<u>Population</u>	<u>Minimum Salary</u>
21	0 - 5,999	\$ 29,832.20 <u>\$ 31,323.81</u>
22	6,000 - 11,889	40,967.92 <u>43,016.32</u>
23	11,890 - 19,999	46,408.38 <u>48,728.80</u>
24	20,000 - 28,999	49,721.70 <u>52,207.79</u>
25		

26	29,000 - 38,999	.....	53,035.03	<u>55,686.78</u>
27	39,000 - 49,999	.....	56,352.46	<u>59,170.08</u>
28	50,000 - 74,999	.....	63,164.60	<u>66,322.83</u>
29	75,000 - 99,999	.....	67,800.09	<u>71,190.09</u>
30	100,000 - 149,999	.....	72,434.13	<u>76,055.84</u>
31	150,000 - 199,999	.....	77,344.56	<u>81,211.79</u>
32	200,000 - 249,999	.....	84,458.82	<u>88,681.76</u>
33	250,000 - 299,999	.....	91,682.66	<u>96,266.79</u>
34	300,000 - 399,999	.....	101,207.60	<u>106,267.98</u>
35	400,000 - 499,999	.....	105,316.72	<u>110,582.56</u>
36	500,000 or more	.....	109,425.84	<u>114,897.13"</u>

SECTION 2.

38 Said title is further amended by revising Code Section 15-6-89, relating to additional
 39 remuneration for certain services of clerks of superior courts, as follows:

40 "15-6-89.

41 In addition to the minimum salary provided in Code Section 15-6-88 or any other salary
 42 provided by any applicable general or local law, each clerk of superior court of any county
 43 who also serves as clerk of a state court, court classified as a municipal court but funded
 44 through appropriations of the county governing authority, juvenile court, or civil court
 45 under any applicable general or local law of this state or who performs duties pursuant to
 46 paragraph (1) of subsection (a) of Code Section 15-12-1.1 shall receive for his or her
 47 services in such other court a salary of not less than ~~\$323.59~~ \$367.52 per month, to be paid
 48 from the funds of the county. In the event any such court for which a clerk of superior
 49 court is serving as clerk is abolished, the clerk of superior court shall not be entitled to any
 50 salary heretofore received for service in such court."

SECTION 3.

52 Said title is further amended by revising subsection (a) of Code Section 15-9-63, relating to
 53 schedule of minimum salaries of judges of the probate court, as follows:

54 "(a)(1) Any other ~~laws~~ provision of law to the contrary notwithstanding, the minimum
 55 annual salary of each judge of the probate court in this state shall be fixed according to
 56 the population of the county in which he or she serves, as determined by the United States
 57 decennial census of ~~2000~~ 2010 or any future such census; provided, however, that such
 58 annual salary shall be recalculated in any year following a census year in which the
 59 Department of Community Affairs publishes a census estimate for the county prior to

60 July 1 in such year that is higher than the immediately preceding decennial census. Each
 61 such judge of the probate court shall receive an annual salary, payable in equal monthly
 62 installments from the funds of ~~his or her~~ the county, of not less than the amount fixed in
 63 the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
64 0 - 5,999	\$ 29,832.20 <u>\$ 31,323.81</u>
65 6,000 - 11,889	40,967.92 <u>43,016.32</u>
66 11,890 - 19,999	46,408.38 <u>48,728.80</u>
67 20,000 - 28,999	49,721.70 <u>52,207.79</u>
68 29,000 - 38,999	53,035.03 <u>55,686.78</u>
69 39,000 - 49,999	56,352.46 <u>59,170.08</u>
70 50,000 - 74,999	63,164.60 <u>66,322.83</u>
71 75,000 - 99,999	67,800.09 <u>71,190.09</u>
72 100,000 - 149,999	72,434.13 <u>76,055.84</u>
73 150,000 - 199,999	77,344.56 <u>81,211.79</u>
74 200,000 - 249,999	84,458.82 <u>88,681.76</u>
75 250,000 - 299,999	91,682.66 <u>96,266.79</u>
76 300,000 - 399,999	101,207.60 <u>106,267.98</u>
77 400,000 - 499,999	105,316.72 <u>110,582.56</u>
78 500,000 or more	109,425.84 <u>114,897.13"</u>

80 **SECTION 4.**

81 Said title is further amended by revising subsection (a) of Code Section 15-9-63.1, relating
 82 to compensation of probate judges for services as magistrate or chief magistrate, as follows:
 83 "(a) Beginning January 1, 2002, in any county in which the probate judge serves as chief
 84 magistrate or magistrate, he or she shall be compensated for such services based on a
 85 minimum annual amount of ~~\$11,642.54~~ \$12,224.67; provided, however, that compensation
 86 for a probate judge shall not be reduced during his or her term of office. A county
 87 governing authority shall not be required to pay the compensation provided by this
 88 subsection beyond the term for which such probate judge serves as a chief magistrate or
 89 magistrate."

90 **SECTION 5.**

91 Said title is further amended by revising Code Section 15-9-64, relating to supplementation
 92 of minimum salaries of probate judges, as follows:

93 "15-9-64.
 94 The amount of minimum salary provided in Code Section 15-9-63 for the judges of the
 95 probate courts of any county presently on a salary who also hold and conduct elections or
 96 are responsible for conducting elections for members of the General Assembly under any
 97 applicable general or local law of this state shall be increased by ~~\$323.59~~ \$339.77 per
 98 month. The amount of the minimum salary provided in Code Section 15-9-63 for the
 99 judges of the probate courts on a salary who are responsible for traffic cases under any
 100 general or local law of this state shall also be increased by ~~\$404.41~~ \$424.63 per month. A
 101 county governing authority shall not be required to pay the compensation provided by this
 102 Code section beyond the term for which such judge performs such services."

103 SECTION 6.

104 Said title is further amended by revising subsections (b) through (d) of Code
 105 Section 15-10-105, relating to selection of clerk of magistrate court and compensation, as
 106 follows:

107 "(b) With the consent of the clerk of superior court the county governing authority may
 108 provide that the clerk of superior court shall serve as clerk of magistrate court and shall be
 109 compensated for his or her services as clerk of magistrate court in an amount not less than
 110 ~~\$323.59~~ \$339.77 per month. With the consent of the clerk of the superior court and clerk
 111 of the state court, the county governing authority may provide that the state court clerk
 112 shall serve as clerk of magistrate court and shall be compensated for his or her service as
 113 clerk of magistrate court in an amount not less than ~~\$323.59~~ \$339.77 per month. Such
 114 compensation shall be retained by the clerk of superior court as his or her personal funds
 115 without regard to whether he or she is otherwise compensated on a fee basis or salary basis
 116 or both.

117 (c) If the clerk of superior court or the clerk of state court does not serve as clerk of
 118 magistrate court, then the county governing authority may provide for the appointment by
 119 the chief magistrate of a clerk to serve at the pleasure of the chief magistrate. A clerk of
 120 magistrate court so appointed shall be compensated in an amount fixed by the county
 121 governing authority at not less than ~~\$323.59~~ \$339.77 per month.

122 (d) If there is no clerk of magistrate court, the chief magistrate or some other magistrate
 123 appointed by the chief magistrate shall perform the duties of clerk. A chief magistrate
 124 performing the duties of clerk, or another magistrate appointed by the chief magistrate to
 125 perform the duties of clerk, shall receive, in addition to any other compensation to which
 126 he or she is entitled, compensation for performing the duties of clerk, the amount of which
 127 compensation shall be fixed by the county governing authority at not less than
 128 ~~\$323.59~~ \$339.77 per month."

SECTION 7.

129
 130 Said title is further amended by revising subsection (a) of Code Section 15-16-20, relating
 131 to minimum annual salaries for sheriffs, as follows:

132 "(a)(1) Any other law to the contrary notwithstanding, the minimum annual salary of
 133 each sheriff in this state shall be fixed according to the population of the county in which
 134 he or she serves, as determined by the United States decennial census of ~~2000~~ 2010 or
 135 any future such census; provided, however, that such annual salary shall be recalculated
 136 in any year following a census year in which the Department of Community Affairs
 137 publishes a census estimate for the county prior to July 1 in such year that is higher than
 138 the immediately preceding decennial census. Except as otherwise provided in
 139 paragraph ~~(2)~~ (3) of this subsection, each such sheriff shall receive an annual salary,
 140 payable in equal monthly installments from the funds of the sheriff's county, of not less
 141 than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 - 5,999	\$42,045.88 <u>\$ 44,148.17</u>
6,000 - 11,889	46,917.92 <u>49,263.82</u>
11,890 - 19,999	53,880.12 <u>56,574.13</u>
20,000 - 28,999	59,328.83 <u>62,295.27</u>
29,000 - 38,999	64,776.16 <u>68,014.97</u>
39,000 - 49,999	70,227.59 <u>73,738.47</u>
50,000 - 74,999	75,674.90 <u>79,458.65</u>
75,000 - 99,999	78,247.21 <u>82,159.57</u>
100,000 - 149,999	80,819.51 <u>84,860.44</u>
150,000 - 199,999	83,695.91 <u>87,880.71</u>
200,000 - 249,999	86,572.30 <u>90,900.92</u>
250,000 - 299,999	94,759.02 <u>99,496.97</u>
300,000 - 399,999	105,822.14 <u>111,113.25</u>
400,000 - 499,999	109,931.24 <u>115,427.80</u>
500,000 or more	114,040.36 <u>119,742.38"</u>

SECTION 8.

158
 159 Said title is further amended by revising Code Section 15-16-20.1, relating to additional
 160 salary for sheriffs, as follows:

161 "15-16-20.1.

162 In addition to the minimum salary provided in Code Section 15-16-20, the sheriff of any
 163 county who performs the duties of a sheriff for a state court, probate court, magistrate

164 court, juvenile court, or county recorder's court under any applicable general or local law
 165 of this state shall receive for his or her services in such court or courts a salary of not less
 166 than ~~\$323.59~~ \$367.52 per month, to be paid from the funds of the county. A sheriff who
 167 serves in more than one such court shall receive only one such salary."

168 **SECTION 9.**

169 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
 170 elections generally, is amended by revising subsection (c) of Code Section 21-2-213, relating
 171 to county deputy registrars, clerical help, and appointment of county officer or employee as
 172 chief deputy registrar, as follows:

173 "(c) In every county wherein the registrars do not maintain an office which is open and
 174 staffed during regular business hours, the registrars shall designate and appoint as chief
 175 deputy registrar a full-time county officer or employee for the purpose of registering
 176 eligible electors and performing other duties as may be required by the board of registrars.
 177 The governing authority of the county shall provide for the compensation of the chief
 178 deputy registrar in an amount not less than ~~\$293.29~~ \$333.11 per month. The name,
 179 business address, telephone number, and any other pertinent information relative to the
 180 chief deputy registrar shall be forwarded by the registrars to the Secretary of State's office,
 181 where such information shall be maintained on file."

182 **SECTION 10.**

183 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem
 184 taxation of property, is amended by revising subsection (g) of Code Section 48-5-137,
 185 relating to tax collectors and tax commissioners as ex officio sheriffs, as follows:

186 "(g) Each tax collector or tax commissioner who is compensated on a salary basis and who
 187 is authorized to act as an ex officio sheriff under this Code section and whose office
 188 performs substantially all of the duties of the sheriff with respect to tax executions shall be
 189 entitled to a salary of ~~\$349.78~~ \$397.27 per month for his or her service as ex officio sheriff.
 190 Such compensation shall be in addition to any other compensation to which such tax
 191 commissioner or tax collector is entitled. Such additional compensation shall not be paid
 192 to any tax commissioner who is compensated solely by the fee system of compensation;
 193 but such compensation shall be paid to any tax commissioner who is compensated in part
 194 by fees and in part by a salary. Such compensation shall be paid in equal monthly
 195 installments from county funds."

SECTION 11.

196

197 Said title is further amended by revising subsection (b) of Code Section 48-5-183, relating
198 to salaries of tax collectors and tax commissioners, as follows:

199 "(b)(1) Any other provision of law to the contrary notwithstanding, except for the
200 provisions of paragraph ~~(2)~~ (3) of this subsection, the minimum annual salary of each tax
201 collector and tax commissioner who is compensated by an annual salary shall be fixed
202 according to the population of the county in which he or she serves, as determined by the
203 United States decennial census of ~~2000~~ 2010 or any future such census; provided,
204 however, that such annual salary shall be recalculated in any year following a census year
205 in which the Department of Community Affairs publishes a census estimate for the
206 county prior to July 1 in such year that is higher than the immediately preceding
207 decennial census. Each such officer shall receive an annual salary, payable in equal
208 monthly installments from the funds of his or her county, of not less than the amount
209 fixed in the following schedule:

	<u>Population</u>	<u>Minimum Salary</u>
211	0 - 5,999	\$ 29,832.20 <u>\$ 31,323.81</u>
212	6,000 - 11,889	40,967.92 <u>43,016.32</u>
213	11,890 - 19,999	46,408.38 <u>48,728.80</u>
214	20,000 - 28,999	49,721.70 <u>52,207.79</u>
215	29,000 - 38,999	53,035.03 <u>55,686.78</u>
216	39,000 - 49,999	56,352.46 <u>59,170.08</u>
217	50,000 - 74,999	63,164.60 <u>66,322.83</u>
218	75,000 - 99,999	67,800.09 <u>71,190.09</u>
219	100,000 - 149,999	72,434.13 <u>76,055.84</u>
220	150,000 - 199,999	77,344.56 <u>81,211.79</u>
221	200,000 - 249,999	84,458.82 <u>88,681.76</u>
222	250,000 - 299,999	91,682.66 <u>96,266.79</u>
223	300,000 - 399,999	101,207.60 <u>106,267.98</u>
224	400,000 - 499,999	105,316.72 <u>110,582.56</u>
225	500,000 or more	109,425.84 <u>114,897.13"</u>

SECTION 12.

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