

The House Committee on Governmental Affairs offers the following substitute to SB 171:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 1, Title 15, Chapter 2 of Title 21, and Title 48 of the Official  
2 Code of Georgia Annotated, relating to laws and statutes, courts, elections and primaries  
3 generally, and revenue and taxation, respectively, so as to modify certain provisions  
4 regarding the compensation received by certain local government officials; to change the  
5 manner in which certain adjustments to such compensation are determined; to provide for  
6 the manner in which such officials receive certain local supplements; to provide for  
7 procedures, conditions, and limitations in connection therewith; to change a provision  
8 regarding the construction of statutes generally by revising the effective date of a census for  
9 purposes of certain general laws; to provide for an effective date; to provide for related  
10 matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising  
14 Code Section 15-6-88, relating to minimum annual salary schedule for clerks of superior  
15 court, by revising subsections (a) and (b) as follows:

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

	<u>Population</u>	<u>Minimum Salary</u>
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27	0 - 5,999	\$ <del>29,832.20</del> <u>\$ 35,576.65</u>
28	6,000 - 11,889	<del>40,967.92</del> <u>48,856.63</u>
29	11,890 - 19,999	<del>46,408.38</del> <u>55,344.71</u>
30	20,000 - 28,999	<del>49,721.70</del> <u>59,296.04</u>
31	29,000 - 38,999	<del>53,035.03</del> <u>63,247.38</u>
32	39,000 - 49,999	<del>56,352.46</del> <u>67,203.60</u>
33	50,000 - 74,999	<del>63,164.60</del> <u>75,327.48</u>
34	75,000 - 99,999	<del>67,800.09</del> <u>80,855.58</u>
35	100,000 - 149,999	<del>72,434.13</del> <u>86,381.94</u>
36	150,000 - 199,999	<del>77,344.56</del> <u>92,237.91</u>
37	200,000 - 249,999	<del>84,458.82</del> <u>100,722.08</u>
38	250,000 - 299,999	<del>91,682.66</del> <u>109,336.93</u>
39	300,000 - 399,999	<del>101,207.60</del> <u>120,695.99</u>
40	400,000 - 499,999	<del>105,316.72</del> <u>125,596.32</u>
41	500,000 or more	<del>109,425.84</del> <u>130,496.72"</u>

42 (b)(1) Minimum salaries shall be automatically adjusted annually based upon certain  
 43 increases granted to state employees according to this subsection. Whenever the state  
 44 employees subject to compensation plans authorized and approved in accordance with  
 45 Code Section 45-20-4 receive a cost-of-living increase or general performance based  
 46 increase of a certain percentage or a certain amount, the amounts fixed in the minimum  
 47 salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, and in  
 48 subsection (b) of Code Section 15-10-105, or the amounts derived by increasing each of  
 49 said amounts through the application of longevity increases pursuant to subsection (a) of  
 50 Code Section 15-6-90, where applicable shall be increased by the same percentage or  
 51 same amount applicable to such state employees. If the cost-of-living increase or general  
 52 performance based increase received by state employees is in different percentages or  
 53 different amounts as to certain categories of employees, the amounts fixed in the  
 54 minimum salary schedule in subsection (a) of this Code section, in Code Section 15-6-89,  
 55 and in subsection (b) of Code Section 15-10-105, or the amounts derived through the  
 56 application of longevity increases, shall be increased by a percentage or an amount not  
 57 to exceed the average percentage or average amount of the general increase in salary  
 58 granted to the state employees. The Office of Planning and Budget shall calculate the  
 59 average percentage increase or average amount increase when necessary. ~~The periodic~~  
 60 ~~changes in~~ In years where there is no increase in the minimum salary under subsection  
 61 (a) of this Code section, the automatic increase to the amounts fixed in the minimum

62 salary schedule in subsection (a) of this Code section, in Code Section 15-6-89, in  
 63 subsection (b) of Code Section 15-10-105, or the amounts derived through the application  
 64 of longevity increases, as authorized by this subsection shall become effective on the first  
 65 day of January following the date that the cost-of-living increases or general performance  
 66 based increases received by state employees become effective; provided, however, that  
 67 if the cost-of-living increases received by state employees become effective on January  
 68 1, such periodic changes in the amounts fixed in the minimum salary schedule in  
 69 subsection (a) of this Code section, in Code Section 15-6-89, and in subsection (b) of  
 70 Code Section 15-10-105, or the amounts derived by increasing each of said amounts  
 71 through the application of longevity increases pursuant to subsection (a) of Code Section  
 72 15-6-90, shall become effective on the same date that the cost-of-living increases or  
 73 general performance based increases received by state employees become effective.  
 74 (2) Any automatic increases calculated under paragraph (1) of this subsection that have  
 75 been provided prior to the effective date of any increase in the minimum salary under  
 76 subsection (a) of this Code section shall cease to be applied upon the effective date of any  
 77 increase in the minimum salary under subsection (a) of this Code section. Following such  
 78 effective date, new automatic increases shall be calculated as provided in paragraph (1)  
 79 of this subsection."

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## SECTION 2.

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

83 "15-6-89.

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

SECTION 3.

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Said title is further amended by revising paragraphs (1) and (2) of subsection (a) of Code Section 15-9-63, relating to schedule of minimum salaries of judges of the probate court, as follows:

"(a)(1) Any other laws provision of law to the contrary notwithstanding, the minimum annual salary of each judge of the probate court in this state shall be fixed according to the population of the county in which he or she serves, as determined by the United States decennial census of ~~2000~~ 2010 or any future such census; provided, however, that such annual salary shall be recalculated in any year following a census year in which the Department of Community Affairs publishes a census estimate for the county prior to July 1 in such year that is higher than the immediately preceding decennial census. Each such judge of the probate court shall receive an annual salary, payable in equal monthly installments from the funds of ~~his or her~~ the county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 - 5,999 .....	<del>\$ 29,832.20</del> <u>\$ 35,576.65</u>
6,000 - 11,889 .....	<del>40,967.92</del> <u>48,856.63</u>
11,890 - 19,999 .....	<del>46,408.38</del> <u>55,344.71</u>
20,000 - 28,999 .....	<del>49,721.70</del> <u>59,296.04</u>
29,000 - 38,999 .....	<del>53,035.03</del> <u>63,247.38</u>
39,000 - 49,999 .....	<del>56,352.46</del> <u>67,203.60</u>
50,000 - 74,999 .....	<del>63,164.60</del> <u>75,327.48</u>
75,000 - 99,999 .....	<del>67,800.09</del> <u>80,855.58</u>
100,000 - 149,999 .....	<del>72,434.13</del> <u>86,381.94</u>
150,000 - 199,999 .....	<del>77,344.56</del> <u>92,237.91</u>
200,000 - 249,999 .....	<del>84,458.82</del> <u>100,722.08</u>
250,000 - 299,999 .....	<del>91,682.66</del> <u>109,336.93</u>
300,000 - 399,999 .....	<del>101,207.60</del> <u>120,695.99</u>
400,000 - 499,999 .....	<del>105,316.72</del> <u>125,596.32</u>
500,000 or more .....	<del>109,425.84</del> <u>130,496.72</u> "

(2)(A) Minimum salaries shall be automatically adjusted annually based upon certain increases granted to state employees according to this subsection. Whenever the state employees subject to compensation plans authorized and approved in accordance with Code Section 45-20-4 receive a cost-of-living increase or general performance based increase of a certain percentage or a certain amount, the amounts fixed in the minimum salary schedule in paragraph (1) of this subsection and in Code Section 15-9-64, or the

130 amounts derived by increasing each of said amounts through the application of  
 131 longevity increases pursuant to Code Section 15-9-65, where applicable, shall be  
 132 increased by the same percentage or same amount applicable to such state employees.  
 133 If the cost-of-living increase or general performance based increase received by state  
 134 employees is in different percentages or different amounts as to certain categories of  
 135 employees, the amounts fixed in the minimum salary schedule in paragraph (1) of this  
 136 subsection, and in Code Section 15-9-64, or the amounts derived through the  
 137 application of longevity increases, shall be increased by a percentage or an amount not  
 138 to exceed the average percentage or average amount of the general increase in salary  
 139 granted to the state employees. The Office of Planning and Budget shall calculate the  
 140 average percentage increase or average amount increase when necessary. ~~The periodic~~  
 141 ~~changes in~~ In years where there is no increase in the minimum salary under paragraph  
 142 (1) of this subsection, the automatic increase to the amounts fixed in the minimum  
 143 salary schedule in paragraph (1) of this subsection, and in Code Section 15-9-64, or the  
 144 amounts derived through the application of longevity increases, as authorized by this  
 145 paragraph shall become effective on the first day of January following the date that the  
 146 cost-of-living increases or general performance based increases received by state  
 147 employees become effective; provided, however, that if the cost-of-living increases  
 148 received by state employees become effective on January 1, such periodic changes in  
 149 the amounts fixed in the minimum salary schedule in paragraph (1) of this subsection  
 150 and in Code Section 15-9-64, or the amounts derived by increasing each of said  
 151 amounts through the application of longevity increases pursuant to Code Section  
 152 15-9-65, where applicable, as authorized by this paragraph shall become effective on  
 153 the same date that the cost-of-living increases or general performance based increases  
 154 received by state employees become effective.

155 (B) Any automatic increases calculated under subparagraph (A) of this paragraph that  
 156 have been provided prior to the effective date of any increase in the minimum salary  
 157 under paragraph (1) of this subsection shall cease to be applied upon the effective date  
 158 of any increase in the minimum salary under paragraph (1) of this subsection.  
 159 Following such effective date, new automatic increases shall be calculated as provided  
 160 in subparagraph (A) of this paragraph."

161 **SECTION 4.**

162 Said title is further amended in Code Section 15-10-23, relating to minimum compensation  
 163 and annual salary of magistrates, by revising subsection (c) as follows:

164 "(c)(1) Minimum salaries shall be automatically adjusted annually based upon certain  
 165 increases granted to state employees according to this subsection. Whenever the state

166 employees subject to compensation plans authorized and approved in accordance with  
 167 Code Section 45-20-4 receive a cost-of-living increase or general performance based  
 168 increase of a certain percentage or a certain amount, the amounts provided in subsection  
 169 (a) of this Code section, as increased by the supplement, if any, provided by subsection  
 170 (d) of Code Section 15-10-105 and as increased by the application of longevity increases  
 171 pursuant to subsection (b) of this Code section, shall be increased by the same percentage  
 172 or same amount applicable to such state employees. If the cost-of-living increase or  
 173 general performance based increase received by state employees is in different  
 174 percentages or different amounts as to certain categories of employees, the amounts  
 175 provided in subsection (a) of this Code section, as increased by the supplement, if any,  
 176 provided by subsection (d) of Code Section 15-10-105 and as increased by the application  
 177 of longevity increases pursuant to subsection (b) of this Code section, shall be increased  
 178 by a percentage or an amount not to exceed the average percentage or average amount  
 179 of the general increase in salary granted to the state employees. The Office of Planning  
 180 and Budget shall calculate the average percentage increase or average amount increase  
 181 when necessary. ~~The periodic changes in~~ In years where there is no increase in the  
 182 minimum salary under subsection (a) of this Code section, the automatic increase to the  
 183 amounts provided in subsection (a) of this Code section, as increased by the supplement,  
 184 if any, provided by subsection (d) of Code Section 15-10-105 and as increased by the  
 185 application of longevity increases pursuant to subsection (b) of this Code section, as  
 186 authorized by this subsection, shall become effective on the first day of January following  
 187 the date that the cost-of-living increases or general performance based increases received  
 188 by state employees become effective; provided, however, that if the cost-of-living  
 189 increases received by state employees become effective on January 1, such periodic  
 190 changes in the amounts provided in subsection (a) of this Code section, as increased by  
 191 the supplement, if any, provided by subsection (d) of Code Section 15-10-105 and as  
 192 increased by the application of longevity increases pursuant to subsection (b) of this Code  
 193 section, as authorized by this subsection, shall become effective on the same date that the  
 194 cost-of-living increases or general performance based increases received by state  
 195 employees become effective.

196 (2) Any automatic increases provided under paragraph (1) of this subsection that have  
 197 been provided prior to the effective date of any increase in the minimum salary under  
 198 subsection (a) of this Code section shall cease to be applied upon the effective date of any  
 199 increase in the minimum salary under subsection (a) of this Code section. Following such  
 200 effective date, new automatic increases shall be calculated as provided in paragraph (1)  
 201 of this subsection."

SECTION 5.

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

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

<u>Population</u>	<u>Minimum Salary</u>
0 - 5,999 .....	<del>\$42,045.88</del> <u>\$ 50,132.72</u>
6,000 - 11,889 .....	<del>46,917.92</del> <u>55,952.37</u>
11,890 - 19,999 .....	<del>53,880.12</del> <u>64,255.19</u>
20,000 - 28,999 .....	<del>59,328.83</del> <u>70,753.11</u>
29,000 - 38,999 .....	<del>64,776.16</del> <u>77,294.36</u>
39,000 - 49,999 .....	<del>70,227.59</del> <u>79,762.39</u>
50,000 - 74,999 .....	<del>75,674.90</del> <u>90,246.74</u>
75,000 - 99,999 .....	<del>78,247.21</del> <u>93,314.37</u>
100,000 - 149,999 .....	<del>80,819.51</del> <u>96,381.99</u>
150,000 - 199,999 .....	<del>83,695.91</del> <u>99,812.27</u>
200,000 - 249,999 .....	<del>86,572.30</del> <u>103,266.39</u>
250,000 - 299,999 .....	<del>94,759.02</del> <u>113,005.67</u>
300,000 - 399,999 .....	<del>105,822.14</del> <u>126,199.09</u>
400,000 - 499,999 .....	<del>109,931.24</del> <u>131,099.43</u>
500,000 or more .....	<del>114,040.36</del> <u>136,011.72</u> "

(2)(A) Minimum salaries shall be automatically adjusted annually based upon certain increases granted to state employees according to this paragraph. Whenever the state employees subject to compensation plans authorized and approved in accordance with Code Section 45-20-4 receive a cost-of-living increase or general performance based increase of a certain percentage or a certain amount, the amounts fixed in the minimum salary schedule in paragraph (1) of this subsection and in Code Section 15-16-20.1, or the amounts derived by increasing each of said amounts through the application of

238 longevity increases pursuant to subsection (b) of this Code section, where applicable,  
 239 shall be increased by the same percentage or same amount applicable to such state  
 240 employees. If the cost-of-living increase or general performance based increase  
 241 received by state employees is in different percentages or different amounts as to  
 242 certain categories of employees, the amounts fixed in the minimum salary schedule in  
 243 paragraph (1) of this subsection, and in Code Section 15-16-20.1, or the amounts  
 244 derived through the application of longevity increases, shall be increased by a  
 245 percentage or an amount not to exceed the average percentage or average amount of the  
 246 general increase in salary granted to the state employees. The Office of Planning and  
 247 Budget shall calculate the average percentage increase or average amount increase  
 248 when necessary. The periodic changes in In years where there is no increase in the  
 249 minimum salary under paragraph (1) of this subsection, the automatic increase to the  
 250 amounts fixed in the minimum salary schedule in paragraph (1) of this subsection, and  
 251 in Code Section 15-16-20.1, or the amounts derived through the application of  
 252 longevity increases, as authorized by this paragraph shall become effective on the first  
 253 day of January following the date that the cost-of-living increases received by state  
 254 employees become effective; provided, however, that if the cost-of-living increases or  
 255 general performance based increases received by state employees become effective on  
 256 January 1, such periodic changes in the amounts fixed in the minimum salary schedule  
 257 in paragraph (1) of this subsection, and in Code Section 15-16-20.1, or the amounts  
 258 derived through the application of longevity increases, as authorized by this paragraph  
 259 shall become effective on the same date that the cost-of-living increases or general  
 260 performance based increases received by state employees become effective.  
 261 (B) Any automatic increases calculated under subparagraph (A) of this paragraph that  
 262 have been provided prior to the effective date of any increase in the minimum salary  
 263 under paragraph (1) of this subsection shall cease to be applied upon the effective date  
 264 of any increase in the minimum salary under paragraph (1) of this subsection.  
 265 Following such effective date, new automatic increases shall be calculated as provided  
 266 in subparagraph (A) of this paragraph."

267 **SECTION 6.**

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

270 "15-16-20.1.

271 In addition to the minimum salary provided in Code Section 15-16-20, the sheriff of any  
 272 county who performs the duties of a sheriff for a state court, probate court, magistrate  
 273 court, juvenile court, or county recorder's court under any applicable general or local law



274 of this state shall receive for his or her services in such court or courts a salary of not less  
 275 than ~~\$323.59~~ \$367.52 per month, to be paid from the funds of the county. A sheriff who  
 276 serves in more than one such court shall receive only one such salary."

277 **SECTION 7.**

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

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

291 **SECTION 8.**

292 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is  
 293 amended by revising subsection (g) of Code Section 48-5-137, relating to tax collectors and  
 294 tax commissioners as ex officio sheriffs, as follows:

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

305 **SECTION 9.**

306 Said title is further amended by revising paragraphs (1) and (2) of subsection (b) of Code  
 307 Section 48-5-183, relating to salaries of tax collectors and tax commissioners, as follows:

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

<u>Population</u>	<u>Minimum Salary</u>
0 - 5,999 .....	<del>\$ 29,832.20</del> <u>\$ 35,576.65</u>
6,000 - 11,889 .....	<del>40,967.92</del> <u>48,856.63</u>
11,890 - 19,999 .....	<del>46,408.38</del> <u>55,344.71</u>
20,000 - 28,999 .....	<del>49,721.70</del> <u>59,296.04</u>
29,000 - 38,999 .....	<del>53,035.03</del> <u>63,247.38</u>
39,000 - 49,999 .....	<del>56,352.46</del> <u>67,203.60</u>
50,000 - 74,999 .....	<del>63,164.60</del> <u>75,327.48</u>
75,000 - 99,999 .....	<del>67,800.09</del> <u>80,855.58</u>
100,000 - 149,999 .....	<del>72,434.13</del> <u>86,381.94</u>
150,000 - 199,999 .....	<del>77,344.56</del> <u>92,237.91</u>
200,000 - 249,999 .....	<del>84,458.82</del> <u>100,722.08</u>
250,000 - 299,999 .....	<del>91,682.66</del> <u>109,336.93</u>
300,000 - 399,999 .....	<del>101,207.60</del> <u>120,695.99</u>
400,000 - 499,999 .....	<del>105,316.72</del> <u>125,596.32</u>
500,000 or more .....	<del>109,425.84</del> <u>130,496.72"</u>

335 (2)(A) Minimum salaries shall be automatically adjusted annually based upon certain  
 336 increases granted to state employees according to this subsection. Whenever the state  
 337 employees subject to compensation plans authorized and approved in accordance with  
 338 Code Section 45-20-4 receive a cost-of-living increase or general performance based  
 339 increase of a certain percentage or a certain amount, the amounts fixed in the minimum  
 340 salary schedule in paragraph (1) of this subsection, in subsection (g) of Code Section  
 341 48-5-137, and, where applicable, in subsection (c) of Code Section 21-2-213, or the  
 342 amounts derived by increasing each of said amounts through the application of  
 343 longevity increases pursuant to subsection (d) of this Code section, where applicable

344 shall be increased by the same percentage or same amount applicable to such state  
 345 employees. If the cost-of-living increase or general performance based increase  
 346 received by state employees is in different percentages or different amounts as to  
 347 certain categories of employees, the amounts fixed in the minimum salary schedule in  
 348 paragraph (1) of this subsection, in subsection (g) of Code Section 48-5-137, and,  
 349 where applicable, in subsection (c) of Code Section 21-2-213, or the amounts derived  
 350 through the application of longevity increases, shall be increased by a percentage or an  
 351 amount not to exceed the average percentage or average amount of the general increase  
 352 in salary granted to the state employees. The Office of Planning and Budget shall  
 353 calculate the average percentage increase or average amount increase when necessary.  
 354 ~~The periodic changes in~~ In years where there is no increase in the minimum salary  
 355 under paragraph (1) of the subsection, the automatic increase to the amounts fixed in  
 356 the minimum salary schedule in paragraph (1) of this subsection, in subsection (g) of  
 357 Code Section 48-5-137, and, where applicable, in subsection (c) of Code Section  
 358 21-2-213, or the amounts derived through the application of longevity increases, as  
 359 authorized by this paragraph shall become effective on the first day of January  
 360 following the date that the cost-of-living increases received by state employees become  
 361 effective; provided, however, that if the cost-of-living increases or general performance  
 362 based increases received by state employees become effective on January 1, such  
 363 periodic changes in the amounts fixed in the minimum salary schedule in paragraph (1)  
 364 of this subsection, in subsection (g) of Code Section 48-5-137, and, where applicable,  
 365 in subsection (c) of Code Section 21-2-213, or the amounts derived through the  
 366 application of longevity increases as authorized by this paragraph, shall become  
 367 effective on the same date that the cost-of-living increases or general performance  
 368 based increases received by state employees become effective.

369 (B) Any automatic increases calculated under subparagraph (A) of this paragraph that  
 370 have been applied prior to the effective date of any increase in the minimum salary  
 371 under paragraph (1) of this subsection shall cease to be applied upon the effective date  
 372 of any increase in the minimum salary under paragraph (1) of this subsection.  
 373 Following such effective date, new automatic increases shall be calculated as provided  
 374 in subparagraph (A) of this paragraph."

375 **SECTION 10.**

376 Chapter 3 of Title 1 of the Official Code of Georgia Annotated, relating to laws and statutes,  
 377 is amended by revising subparagraph (d)(2)(A) of Code Section 1-3-1, relating to  
 378 construction of statutes generally, as follows:

379 "(A) The effective date of the census shall be ~~July~~ January 1 of the ~~first~~ second year  
380 after the year in which the census is conducted, for the purpose of making operative and  
381 of force the following laws:  
382 (i) Code Section 15-16-20;  
383 (ii) Code Sections 15-6-88 through 15-6-91;  
384 (iii) Code Section 48-5-183;  
385 (iv) Code Sections 15-9-63 through 15-9-66;  
386 (v) Code Section 36-5-25;  
387 (vi) Code Section 15-10-23; and  
388 (vii) Code Section 45-16-11;  
389 provided, however, that if a county's population decreases according to a more recent  
390 census below its population according to an earlier census, then, notwithstanding any  
391 other provision of law, any officer who is compensated under a law specified in this  
392 subparagraph and who is in office on the date specified in this subparagraph shall  
393 continue during his or her entire tenure in such office (including any future terms of  
394 office in such office) to be compensated on the basis of the county's population  
395 according to such earlier census;"

396 **SECTION 11.**

397 This Act shall become effective on January 1, 2021.

398 **SECTION 12.**

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