

House Bill 1260

By: Representatives Hagan of the 156th, Burchett of the 176th, Chastain of the 7th, Campbell of the 171st, O’Steen of the 169th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to provide for cessation of payment of salary, compensation, and expenses to members
3 of county and municipal governing authorities who fail to certify completion of mandatory
4 training; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
8 in Code Section 36-5-24, relating to compensation of members of county governing
9 authorities, by revising subsection (b) and by adding a new subsection to read as follows:

10 "(b) ~~Unless~~ Except as provided in subsection (b.1) of this Code section and unless
11 otherwise provided by local law, the governing authority of each county is authorized to
12 fix the salary, compensation, expenses, and expenses in the nature of compensation of the
13 members of the governing authority subject to the following conditions:

14 (1) Any increase in salary, compensation, expenses, or expenses in the nature of
15 compensation for members of a county governing authority shall not be effective until

16 the first day of January of the year following the next general election held after the date
17 on which the action to increase the compensation was taken;

18 (2) A county governing authority shall take no action to increase salary, compensation,
19 expenses, or expenses in the nature of compensation until notice of intent to take such
20 action and the fiscal impact of such action has been published in a newspaper designated
21 as the legal organ of the county at least once a week for three consecutive weeks
22 immediately preceding the meeting at which the action is taken; and

23 (3) Such action shall not be taken during the period of time beginning with the date that
24 candidates for election as members of the county governing authority may first qualify
25 as such candidates and ending with the first day of January following the date of
26 qualification.

27 (b.1) In the event that a member of a county governing authority fails to certify satisfactory
28 completion of a course of training and education as provided for in subsection (a) of Code
29 Section 36-20-4, the applicable county governing authority shall cease payment of salary,
30 compensation, expenses, or expenses in the nature of compensation to such member, and
31 the member shall be entitled to no such salary, compensation, expenses, or expenses in the
32 nature of compensation until such member provides such certification."

33 SECTION 2.

34 Said title is further amended in Code Section 36-20-4, relating to training of elected members
35 of county governing authority, by revising subsection (a) as follows:

36 "(a) All persons elected as members of a county governing authority who were not serving
37 as members of a county governing authority on July 1, 1990, shall enroll in, attend, and
38 satisfactorily complete a course of training and education of at least 18 hours on matters
39 pertaining to the administration and operations of county governments. All such persons
40 shall satisfactorily complete such course of training and education no later than July 1 of
41 the year following the year of the election of such person as a member of a county

42 governing authority and shall certify such completion to the clerk of the applicable county
43 governing authority within 30 days of such certification. Such course of training and
44 education shall include, but not be limited to, orientation in local government finance and
45 budgeting; methods of taxation; planning; public works and utilities; parks and recreation;
46 environmental management; public safety, health, and welfare; personnel management;
47 responsiveness to the community; the ethics, duties, and responsibilities of members of a
48 county governing authority or a chief executive officer; and such other matters as may be
49 deemed necessary and appropriate by the academy."

50 **SECTION 3.**

51 Said title is further amended in Code Section 36-35-4, relating to compensation and benefits
52 for employees and members of governing authority and conditions and requirements
53 governing increases for elective members of governing authority, by revising subsection (a)
54 and by adding a new subsection to read as follows:

55 "(a) ~~The~~ Except as provided in subsection (a.1) of this Code section, the governing
56 authority of each municipal corporation is authorized to fix the salary, compensation, and
57 expenses of its municipal employees and the members of its municipal governing authority
58 and to provide insurance, retirement, and pension benefits, coverage under federal old-age,
59 survivors and disability programs, hospitalization benefits, and workers' compensation
60 benefits for its employees, their dependents, and their survivors and for members of the
61 municipal governing authority, their dependents, and their survivors, when such benefits
62 are provided to municipal employees. Any previous actions to extend insurance, federal
63 old-age, survivors and disability programs, retirement, hospitalization, and workers'
64 compensation benefits to members of the municipal governing authority are validated.
65 With the exception of the provision of insurance, federal old-age, survivors and disability
66 programs, retirement, hospitalization, and workers' compensation benefits, any action to

67 increase the salary or compensation of the elective members of the municipal governing
68 authority shall be subject to the following conditions and requirements:

69 (1) Any such increase shall not be effective until after the taking of office of those
70 elected at the next regular municipal election which is held immediately following the
71 date on which the action to increase the compensation was taken;

72 (2) Such action shall not be taken during the period of time beginning with the date that
73 candidates for election to membership on the municipal governing authority may first
74 qualify as such candidates and ending with the date members of the municipal governing
75 authority take office following their election; and

76 (3) Such action shall not be taken until notice of intent to take the action has been
77 published in a newspaper of general circulation designated as the legal organ in the
78 county and in the municipal corporation at least once a week for three consecutive weeks
79 immediately preceding the week during which the action is taken.

80 (a.1) In the event that a member of a municipal governing authority fails to certify
81 satisfactory completion of a course of training and education as provided for in
82 subsection (a) of Code Section 36-45-4, the applicable municipal governing authority shall
83 cease payment of salary, compensation, expenses, or expenses in the nature of
84 compensation to such member, and the member shall be entitled to no such salary,
85 compensation, expenses, or expenses in the nature of compensation until such member
86 provides such certification."

87 **SECTION 4.**

88 Said title is further amended in Code Section 36-45-4, relating to training of elected members
89 of municipal governing authority, by revising subsection (a) as follows:

90 (a) All persons elected as members of a municipal governing authority who were not
91 serving as members of a municipal governing authority on July 1, 1990, shall enroll in,
92 attend, and satisfactorily complete a course of training and education on matters pertaining

93 to the administration and operations of municipal governments. All such persons shall
94 satisfactorily complete such course of training and education no later than July 1 of the year
95 following the year of the election of such person as a member of a county governing
96 authority and shall certify such completion to the clerk of the applicable municipal
97 governing authority within 30 days of such certification. Such course of training and
98 education shall include, but not be limited to, orientation in local government finance and
99 budgeting; methods of taxation; planning; public works and utilities; parks and recreation;
100 environmental management; public safety; personnel management; responsiveness to the
101 community; the ethics, duties, and responsibilities of members of a municipal governing
102 authority or a chief executive officer; and such other matters as may be deemed necessary
103 and appropriate by the Vinson Institute."

104

SECTION 5.

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