House Bill 454 (AS PASSED HOUSE AND SENATE)

By: Representatives Parsons of the 42nd, Tumlin of the 38th, Dollar of the 45th, Johnson of the 37th, Teilhet of the 40th, and others

A BILL TO BE ENTITLED

AN ACT

To amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved May 17, 2004 (Ga. L. 2004, p. 3712), so as to change the compensation of the chief deputy sheriff, the chief investigator, and the executive assistant to the sheriff; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved May 17, 2004 (Ga. L. 2004, p. 3712), is amended by striking subsections (b), (c), and (d) of Section 5 and inserting in lieu thereof new subsections (b), (c), and (d) of Section 5 to read as follows:

"(b) The sheriff of Cobb County shall have one chief deputy whose salary shall be $106,469.63 per annum, to be paid in equal monthly installments from the funds of Cobb County. The chief deputy sheriff shall possess the same qualifications for office as required for the sheriff. The chief deputy shall serve at the pleasure of the sheriff. Each candidate for the office of sheriff of Cobb County shall, at the time he or she qualifies to run for the office of sheriff, designate and certify to the judge of the probate court the name of the person who shall be his or her chief deputy sheriff. In the event the office of sheriff becomes vacant by death, resignation, or otherwise, the vacancy shall be filled until the next general election by said chief deputy, who shall in such event enter upon the performance of said duties upon taking the oath of office prescribed by law for the sheriff of Cobb County. The chief deputy sheriff is authorized, when directed by the sheriff, to

discharge any and all of the duties and powers of the sheriff. In addition to said chief deputy, said sheriff shall be authorized to name and appoint such additional deputies as shall be approved from time to time by the governing authority of Cobb County. The salaries of said additional deputies shall be set by the governing authority of Cobb County; provided, however, that said salaries shall not be less than $4,880.00 per annum per each additional deputy approved by said governing authority of Cobb County. In addition to said chief deputy and other deputies provided for above, the sheriff of Cobb County shall be authorized to employ the clerical help necessary to perform properly the functions and duties of his or her office, provided that the number of employees and salaries or other compensation to be paid to each shall first be approved by the governing authority of Cobb County.

(c) In addition to those employees provided for by subsection (b) of this section, there is created the office of chief investigator for Cobb County. The chief investigator shall be appointed by the sheriff, shall be under his or her direct supervision and control, and shall serve at the pleasure of the sheriff. The individual appointed by the sheriff of Cobb County shall possess, as a minimum, a high school education or its equivalent and shall either be a graduate of the Federal Bureau of Investigation´s National Academy for Peace Officers or possess ten years of actual experience as a peace officer or be a graduate of a law school accredited by the Georgia Bar Association or be a graduate of the Southern Police Institute School of Police Management and Administration or have a master´s degree from an accredited college or university. The salary of the chief investigator shall be $96,606.10 per annum, to be paid in equal monthly installments from the funds of Cobb County.

(d) In addition to those employees provided for in subsections (b) and (c) of this section, there is created the position of executive assistant to the sheriff. The executive assistant shall be appointed by the sheriff, shall be under his or her direct supervision and control, and shall serve at the pleasure of the sheriff. The sheriff shall establish such qualifications, education, and experience as he or she deems necessary for the individual appointed to the position of executive assistant. The salary of the executive assistant shall be $58,067.86 per annum, to be paid in equal monthly installments from the funds of Cobb County.″

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

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