

House Bill 1329

By: Representatives Mathis of the 144th, Bentley of the 139th, Cameron of the 1st, Wade of the 9th, Scoggins of the 14th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to
2 coroners, so as to provide that coroners are full-time county employees; to set salaries of
3 deputy coroners; to provide minimum salaries of coroners; to remove certain death
4 investigation fees; 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 Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to coroners, is
9 amended by revising Code Section 45-16-7, relating to appointment of deputy coroners, oath,
10 bond, fees, powers, and qualifications, as follows:

11 "45-16-7.

12 (a) As soon as practicable after July 1, 1980, and at the beginning of each term of the
13 coroner thereafter, the coroner of each county shall appoint a deputy coroner or coroners
14 as provided in this Code section. A deputy coroner shall be appointed for each county, and
15 one or more additional deputy coroners may be appointed for any county, in the discretion
16 of the coroner. Each deputy coroner shall serve at the pleasure of the coroner and may be

17 replaced by the coroner at any time. Each deputy coroner shall take the same oath, give
18 the same bond, ~~be entitled to the same fees,~~ and have the same powers as the coroner; but
19 a deputy coroner shall act as coroner only when the coroner is himself or herself unable to
20 act.

21 (b) No person shall be eligible to hold the office of deputy coroner unless he or she holds
22 a high school diploma or its recognized equivalent. Any deputy coroner who is in office
23 on July 1, 1980, however, shall without limitation be eligible to serve as deputy coroner at
24 any time after said date without regard to whether he or she meets the requirements of this
25 subsection.

26 ~~(c) Notwithstanding any law to the contrary, there shall be appointed only one deputy~~
27 ~~coroner, and, on and after July 1, 1999, there shall only be one deputy coroner in each such~~
28 ~~county unless otherwise approved by the local governing authority of the county. At the~~
29 ~~beginning of each term of the coroner, the coroner shall select the compensation formula~~
30 ~~provided in either paragraph (1) or (2) of this subsection as the compensation formula for~~
31 ~~deputy coroners employed by the coroner:~~

32 (1) A salary equal to one-half of the coroner's salary as provided in Code
33 Section 45-16-11; or

34 (2) A salary equal to one-quarter of the coroner's salary as provided in Code
35 Section 45-16-11, plus a fee of \$250.00 for each case worked by the deputy coroner.

36 (d) As of July 1, 2021, any deputy coroner being compensated by a county in an amount
37 greater than the compensation formulas provided in subsection (c) of this Code section
38 shall not have their compensation reduced for the remainder of the term of the coroner."

39 SECTION 2.

40 Said chapter is further amended by revising Code Section 45-16-11, relating to compensation
41 of county coroners, increases, calculation, supplements, and expenses, as follows:

42 "45-16-11.

43 (a)(1) Any other law to the contrary notwithstanding, the minimum annual salary of each
 44 coroner in any of the counties in this state in the following population brackets shall be
 45 fixed according to the population of the county in which he or she serves, as determined
 46 by the United States decennial census of ~~1990~~ 2020 or any future such census. Except
 47 as otherwise provided in paragraph (2) of this subsection, each such coroner shall receive
 48 an annual salary, payable in equal monthly installments from the funds of the coroner's
 49 county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
51 0 — 11,889	\$ 1,200.00
52 11,890 — 19,999	2,400.00
53 20,000 — 34,999	3,600.00
54 <u>0 — 5,999</u>	<u>\$17,700.00</u>
55 <u>6,000 — 11,889</u>	<u>\$20,000.00</u>
56 <u>11,890 — 19,999</u>	<u>\$25,000.00</u>
57 <u>20,000 — 28,999</u>	<u>\$30,000.00</u>
58 <u>29,000 — 38,999</u>	<u>\$35,000.00</u>
59 <u>39,000 — 49,999</u>	<u>\$40,000.00</u>
60 <u>50,000 — 74,999</u>	<u>\$45,000.00</u>
61 <u>75,000 — 99,999</u>	<u>\$50,000.00</u>
62 <u>100,000 — 149,999</u>	<u>\$55,000.00</u>
63 <u>150,000 — 199,999</u>	<u>\$70,000.00</u>
64 <u>200,000 — 249,000</u>	<u>\$80,000.00</u>
65 <u>250,000 — 299,999</u>	<u>\$90,000.00</u>
66 <u>300,000 — 399,999</u>	<u>\$95,000.00</u>
67 <u>400,000 — 499,999</u>	<u>\$100,000.00</u>

68 500,000 or more \$105,000.00

69 (2) Whenever the state employees subject to compensation plans authorized and
70 approved in accordance with Code Section 45-20-4 receive a cost-of-living increase or
71 general performance based increase of a certain percentage or a certain amount, the
72 amounts fixed in the minimum salary schedule in paragraph (1) of this subsection, and
73 in Code Section 45-16-11.1, or the amounts derived by increasing each of said amounts
74 through the application of longevity increases pursuant to subsection (b) of this Code
75 section, where applicable, shall be increased by the same percentage or same amount
76 applicable to such state employees. If the cost-of-living increase or general performance
77 based increase received by state employees is in different percentages or different
78 amounts as to certain categories of employees, the amounts fixed in the minimum salary
79 schedule in paragraph (1) of this subsection, and in Code Section 45-16-11.1, or the
80 amounts derived through the application of longevity increases, shall be increased by a
81 percentage or an amount not to exceed the average percentage or average amount of the
82 general increase in salary granted to the state employees. The Office of Planning and
83 Budget shall calculate the average percentage increase or average amount increase when
84 necessary. The periodic changes in the amounts fixed in the minimum salary schedule
85 in paragraph (1) of this subsection, and in Code Section 45-16-11.1, or the amounts
86 derived through the application of longevity increases, as authorized by this paragraph
87 shall become effective on the first day of January following the date that the
88 cost-of-living increases received by state employees become effective; provided,
89 however, that if the cost-of-living increases or general performance based increases
90 received by state employees become effective on January 1, such periodic changes in the
91 amounts fixed in the minimum salary schedule in paragraph (1) of this subsection, and
92 in Code Section 45-16-11.1, or the amounts derived through the application of longevity
93 increases, as authorized by this paragraph shall become effective on the same date that

94 the cost-of-living increases or general performance based increases received by state
95 employees become effective.

96 (3) The county governing authority may supplement the minimum annual salary of the
97 coroner in such amount as it may fix from time to time; but no coroner's compensation
98 supplement shall be decreased during any term of office. Any prior expenditure of
99 county funds to supplement the coroner's salary in the manner authorized by this
100 paragraph is ratified and confirmed. Nothing contained in this paragraph shall prohibit
101 the General Assembly by local law from supplementing the annual salary of the coroner.

102 (a.1) The office of coroner shall be a full-time position, and the county governing authority
103 shall provide the coroner the same employment benefits it provides the clerk of the superior
104 court, judge of the probate court, sheriff, and tax commissioner.

105 (b) The amounts provided in paragraph (1) of subsection (a) of this Code section and Code
106 Section 45-16-11.1, as increased by paragraph (2) of subsection (a) of this Code section,
107 shall be increased by multiplying said amounts by the percentage which equals 5 percent
108 times the number of completed four-year terms of office served by any coroner after
109 December 31, 2000, effective the first day of January following the completion of each
110 such period of service.

111 ~~(c) The minimum salaries provided for under this Code section shall be in addition to any~~
112 ~~fees, including the death investigation fee provided for under subsection (b) of Code~~
113 ~~Section 45-16-27, paid by the county governing authority to the coroner on a per-call basis~~
114 ~~and in addition to any expenses~~ Reserved.

115 (d) The minimum salaries provided for in this Code section shall be considered as salary
116 only. Expenses for deputies, equipment, supplies, copying equipment, and other necessary
117 and reasonable expenses for the operation of a coroner's office shall come from funds other
118 than the funds specified as salary in this Code section.

119 (e) This Code section shall not be construed to reduce the salary of any coroner in office
120 on July 1, ~~2001~~ 2020; provided, however, that successors to such coroners in office on

121 July 1, ~~2001~~ 2020, shall be governed by the provisions of this Code section. All local
122 legislation in effect on July 1, ~~2001~~ 2020, or enacted thereafter affecting compensation for
123 coroners of the various counties shall be of full force and effect except where the same
124 provides for a salary lower than provided in this Code section, in which event this Code
125 section shall prevail."

126 **SECTION 3.**

127 Said chapter is further amended by repealing subsection (b) of Code Section 45-16-27,
128 relating to when inquest to be held, special situations, coroner's fee, issuance of subpoenas,
129 cost of copying, and limited disclosure of photographs, and designating said subsection as
130 reserved.

131 **SECTION 4.**

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