

House Bill 1391

By: Representatives Gunter of the 8th, Leverett of the 33rd, Burchett of the 176th, Smith of the 18th, Boddie of the 62nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 12 of Title 17 of the Official Code of Georgia Annotated,
2 relating to public defenders, so as to revise the compensation of public defenders and
3 assistant public defenders; to provide for related matters; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 12 of Title 17 of the Official Code of Georgia Annotated, relating to
8 public defenders, is amended by revising subsection (a) of Code Section 17-12-25, relating
9 to salary of public defender and private practice prohibited, as follows:

10 "(a) Each circuit public defender shall receive an annual salary of ~~\$99,526.00, and~~
11 ~~cost-of-living adjustments may be given by the General Assembly in the General~~
12 ~~Appropriations Act by a percentage not to exceed the average percentage of the general~~
13 ~~increase in salary as may from time to time be granted to employees of the executive,~~
14 ~~judicial, and legislative branches of government; provided, however, that any increase for~~
15 ~~such circuit public defender shall not include within-grade step increases for which~~
16 ~~classified employees as defined by Code Section 45-20-2 are eligible~~ equal to the annual

17 salary of a district attorney and shall receive any cost-of-living adjustments that may be
18 given by the General Assembly in the General Appropriations Act for which district
19 attorneys are eligible. Any increase granted pursuant to this subsection shall become
20 effective at the same time that funds are made available for the increase for such
21 employees. ~~The Office of Planning and Budget shall calculate the average percentage~~
22 ~~increase.~~ Each circuit public defender may also be entitled to an accountability court salary
23 supplement as set forth in Code Section 17-12-25.1."

24 **SECTION 2.**

25 Said article is further amended by revising subsection (c) of Code Section 17-12-27, relating
26 to appointment of assistant public defenders, salary, and promotions, as follows:

27 "(c) Each assistant public defender appointed pursuant to this Code section shall be
28 compensated based on a salary range established in accordance with subsection (c) of Code
29 Section 17-12-30. The salary range for each job established in accordance with
30 subsection (b) of this Code section shall be as follows:

- 31 (1) Assistant public defender I. Not less than \$38,124.00 nor more than 65 percent of
32 the compensation of the circuit public defender;
- 33 (2) Assistant public defender II. Not less than \$40,884.00 nor more than 70 percent of
34 the compensation of the circuit public defender;
- 35 (3) Assistant public defender III. Not less than \$45,108.00 nor more than 80 percent of
36 the compensation of the circuit public defender; and
- 37 (4) Assistant public defender IV. Not less than \$52,176.00 nor more than ~~90~~ 95 percent
38 of the compensation of the circuit public defender."

39 **SECTION 2.**

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