

The Senate Committee on State and Local Governmental Operations - General offered the following substitute to HB 646:

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 minimum salaries of coroners; to revise compensation provisions
3 for deputy coroners; to provide for benefits to certain coroners; to remove certain death
4 investigation fees; to amend Part 1 of Article 1 of Chapter 18 of Title 45 of the Official Code
5 of Georgia Annotated, relating to state employees' health insurance plan, so as to provide for
6 certain retiring county officers and the spouses and dependents of such officers to be
7 included in certain county health plans; to provide for definitions; to provide for the payment
8 of premiums; to provide for a formula to ensure savings are preserved; to provide for related
9 matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to coroners, is
13 amended by revising Code Section 45-16-7, relating to appointment of deputy coroners, oath,
14 bond, fees, powers, and qualifications, as follows:

15 "45-16-7.

16 (a) ~~As soon as practicable after July 1, 1980, and at~~ At the beginning of each term of the
17 ~~coroner thereafter,~~ the coroner of each county shall appoint a deputy coroner or coroners
18 thereafter, the coroner of each county shall appoint a deputy coroner or coroners as
19 provided in this Code section. A deputy coroner shall be appointed for each county, and
20 one or more additional deputy coroners may be appointed for any county, ~~in the discretion~~
21 ~~of the coroner pursuant to the provisions of subsection (c) of this Code section.~~ Each
22 deputy coroner shall serve at the pleasure of the coroner and may be replaced by the
23 coroner at any time. Each deputy coroner shall take the same oath, give the same bond, ~~be~~
24 ~~entitled to the same fees,~~ and have the same powers as the coroner,² but a deputy coroner
25 shall act as coroner only when the coroner is himself or herself unable to act.

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

31 (c) Notwithstanding any law to the contrary, ~~there shall be appointed only one deputy~~
32 ~~coroner, and, on and after July 1, 1999,~~ there shall only be one deputy coroner in each ~~such~~
33 county unless otherwise approved by the local governing authority of the county in the
34 annual budget of the coroner's office.

35 (d)(1) On or after January 1, 2027, each deputy coroner shall be entitled to:

36 (A) A fee of at least \$250.00 for each death investigation that the deputy coroner
37 performs in place of the coroner; and

38 (B) A per diem of \$100.00 for each day the deputy coroner does not work a case;
39 provided, however, that a deputy coroner shall not be entitled to a per diem pursuant
40 to this subparagraph for more than 90 days in a calendar year; provided, further, that
41 sufficient funds have been budgeted by the governing authority of the county.

42 (2) The provisions of paragraph (1) of this subsection shall not apply to any deputy
 43 coroner in a county where local legislation establishes an annual salary for such deputy
 44 coroner.

45 (e) As of January 1, 2027, any deputy coroner being compensated by a county in an
 46 amount greater than the compensation formulas provided in subsection (d) of this Code
 47 section shall not have his or her compensation reduced for the remainder of the term of the
 48 coroner."

49 **SECTION 2.**

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

52 "45-16-11.

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

<u>Population</u>	<u>Minimum Salary</u>
0 — 11,889	\$ 1,200.00
11,890 — 19,999	2,400.00
20,000 — 34,999	3,600.00
<u>0 — 5,999</u>	\$17,700.00
<u>6,000 — 11,889</u>	<u>20,000.00</u>
<u>11,890 — 19,999</u>	<u>25,000.00</u>

67	<u>20,000 — 28,999</u>	<u>30,000.00</u>
68	<u>29,000 — 38,999</u>	<u>35,000.00</u>
69	<u>39,000 — 49,999</u>	<u>40,000.00</u>
70	<u>50,000 — 74,999</u>	<u>45,000.00</u>
71	<u>75,000 — 99,999</u>	<u>50,000.00</u>
72	<u>100,000 — 149,999</u>	<u>55,000.00</u>
73	<u>150,000 — 199,999</u>	<u>70,000.00</u>
74	<u>200,000 — 249,999</u>	<u>80,000.00</u>
75	<u>250,000 — 299,999</u>	<u>90,000.00</u>
76	<u>300,000 — 399,999</u>	<u>95,000.00</u>
77	<u>400,000 — 499,999</u>	<u>100,000.00</u>
78	<u>500,000 or more</u>	<u>105,000.00</u>

79 (2) Whenever, after January 1, 2027, the state employees subject to compensation plans
 80 authorized and approved in accordance with Code Section 45-20-4 receive a
 81 cost-of-living increase or general performance based increase of a certain percentage or
 82 a certain amount, the amounts fixed in the minimum salary schedule in paragraph (1) of
 83 this subsection, and in Code Section 45-16-11.1, or the amounts derived by increasing
 84 each of said amounts through the application of longevity increases pursuant to
 85 subsection (b) of this Code section, where applicable, shall be increased by the same
 86 percentage or same amount applicable to such state employees. If the cost-of-living
 87 increase or general performance based increase received by state employees is in different
 88 percentages or different amounts as to certain categories of employees, the amounts fixed
 89 in the minimum salary schedule in paragraph (1) of this subsection, and in Code
 90 Section 45-16-11.1, or the amounts derived through the application of longevity
 91 increases, shall be increased by a percentage or an amount not to exceed the average
 92 percentage or average amount of the general increase in salary granted to the state

93 employees. The Office of Planning and Budget shall calculate the average percentage
94 increase or average amount increase when necessary. The periodic changes in the
95 amounts fixed in the minimum salary schedule in paragraph (1) of this subsection, and
96 in Code Section 45-16-11.1, or the amounts derived through the application of longevity
97 increases, as authorized by this paragraph shall become effective on the first day of
98 January following the date that the cost-of-living increases received by state employees
99 become effective; provided, however, that, if the cost-of-living increases or general
100 performance based increases received by state employees become effective on January 1,
101 such periodic changes in the amounts fixed in the minimum salary schedule in
102 paragraph (1) of this subsection, and in Code Section 45-16-11.1, or the amounts derived
103 through the application of longevity increases, as authorized by this paragraph shall
104 become effective on the same date that the cost-of-living increases or general
105 performance based increases received by state employees become effective.

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

112 (a.1) In the event that the coroner or his or her immediate predecessor spent at least 2,080
113 hours on duties related to his or her role as the coroner and the coroner's office in such
114 county administered at least 100 death investigations in the preceding calendar year, the
115 county governing authority shall provide the coroner the same employment benefits it
116 provides the clerk of the superior court, judge of the probate court, sheriff, or tax
117 commissioner.

118 (b) The amounts provided in paragraph (1) of subsection (a) of this Code section and Code
119 Section 45-16-11.1, as increased by paragraph (2) of subsection (a) of this Code section,

120 shall be increased by multiplying said amounts by the percentage which equals 5 percent
 121 times the number of completed four-year terms of office served by any coroner after
 122 December 31, ~~2000~~ 2024, effective the first day of January following the completion of
 123 each such period of service.

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

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

132 (e) This Code section shall not be construed to reduce the salary of any coroner in office
 133 on ~~July 1, 2001~~ December 31, 2026, for the remainder of his or her term of office;
 134 ~~provided, however, that successors to such coroners in office on July 1, 2001, shall be~~
 135 ~~governed by the provisions of this Code section.~~ All local legislation in effect on ~~July 1,~~
 136 ~~2001~~ as of January 1, 2027, or enacted thereafter affecting compensation for coroners of
 137 the various counties shall be of full force and effect except where the same provides for a
 138 salary lower than provided in this Code section, in which event this Code section shall
 139 prevail."

140

SECTION 3.

141 Said chapter is further amended by repealing subsections (b) and (b.1) of Code
 142 Section 45-16-27, relating to when inquest to be held, special situations, coroner's fee,
 143 issuance of subpoenas, cost of copying, and limited disclosure of photographs, and
 144 designating subsection (b) as reserved.

145

SECTION 4.

146 Part 1 of Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated,
147 relating to state employees' health insurance plan, is amended in Code Section 45-18-5,
148 relating to county officers and employees, by adding a new subsection to read as follows:

149 “(b.1)(1) As used in this subsection, the term:

150 (A) 'County health plan' means a health insurance plan, health maintenance
151 organization, or other health benefits plan offered or provided by a county for its county
152 officers and the spouses and dependents of such officers.

153 (B) 'Eligible county officer' means an individual who is at least the age of 55 and no
154 more than the age of 65, is retiring from a position as a county officer, and has served
155 at least 16 years in one or more of the following capacities: probate judge, sheriff, tax
156 commissioner or tax collector, clerk of the superior court, or county commissioner.

157 (2) On and after January 1, 2027, if a given county adopts an ordinance adopting the
158 terms and provisions of this subsection, each eligible county officer of such county may
159 elect for himself and herself and the spouse and dependents of such officer to be included
160 in such county's health plan. For each eligible county officer that makes such an election,
161 the county governing authority of such officer shall pay 75 percent of any premiums for
162 such plan for such officer and the spouse and dependents of such officer until such officer
163 reaches the age of 65; provided, however, that such premium payment shall not exceed
164 the savings realized by such county based on the total gross salary paid to such officer in
165 his or her final 12 months of service minus the total gross salary due to an individual
166 serving as a new county officer for that position in his or her first 12 months of service,
167 using salaries provided for in Code Sections 15-6-88 through 15-6-91, 15-9-63 through
168 15-9-66, 15-16-20, 36-5-25, and 48-5-183.

169 (3) Nothing in this subsection shall limit the authority of a county government to adopt
170 an ordinance to pay a higher amount or percentage of county health plan costs for eligible

171 county officers than the amount or percentage provided in paragraph (2) of this
172 subsection."

173 **SECTION 5.**

174 (a) This section and Sections 4 and 6 of this Act shall become effective on July 1, 2026.

175 (b) Sections 1 through 3 of this Act shall become effective on January 1, 2027.

176 **SECTION 6.**

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