

House Bill 1588 (AS PASSED HOUSE AND SENATE)

By: Representatives Cummings of the 39th, Wilkerson of the 38th, Smith of the 41st, Campbell of the 35th, Adesanya of the 43rd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act changing the compensation of the clerk of the superior court, the sheriff,
2 and the judge of the Probate Court of Cobb County from the fee system to the salary system,
3 approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, so as to provide that the
4 salaries of the chief deputy sheriff, the assistant chief deputy sheriff, and the executive
5 assistant to the sheriff shall be determined by the sheriff of Cobb County; to provide for
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act changing the compensation of the clerk of the superior court, the sheriff, and the
10 judge of the Probate Court of Cobb County from the fee system to the salary system,
11 approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, is amended by revising
12 subsections (b) through (d) of Section 5 and adding a new subsection to read as follows:

13 "(b) The sheriff of Cobb County shall have one chief deputy whose salary shall be
14 determined by the sheriff, to be paid in equal monthly installments from the funds of Cobb
15 County; provided, however, that salary increases shall be approved by the sheriff and the
16 board of commissioners of Cobb County. The chief deputy sheriff shall possess the same

17 qualifications for office as required for the sheriff. The chief deputy shall serve at the
18 pleasure of the sheriff. The sheriff, at the time he or she takes office, shall designate and
19 certify to the judge of the probate court the name of the person who shall be his or her chief
20 deputy sheriff. In the event the office of sheriff becomes vacant by death, resignation, or
21 otherwise, the vacancy shall be filled until the next general election by said chief deputy,
22 who shall in such event enter upon the performance of said duties upon taking the oath of
23 office prescribed by law for the sheriff of Cobb County. The chief deputy sheriff is
24 authorized, when directed by the sheriff, to discharge any and all of the duties and powers
25 of the sheriff. In addition to said chief deputy, said sheriff shall be authorized to name and
26 appoint such additional deputies as shall be approved from time to time by the governing
27 authority of Cobb County. The salaries of said additional deputies shall be set by the
28 governing authority of Cobb County; provided, however, that said salaries shall not be less
29 than \$4,880.00 per annum per each additional deputy approved by said governing authority
30 of Cobb County. In addition to the chief deputy and other deputies provided for in this
31 subsection, the sheriff of Cobb County shall be authorized to employ the clerical help
32 necessary to perform properly the functions and duties of his or her office, provided that
33 the number of employees and salaries or other compensation to be paid to each shall first
34 be approved by the governing authority of Cobb County.

35 (c) In addition to those employees provided for by subsection (b) of this section, there is
36 created the office of assistant chief deputy for Cobb County. The assistant chief deputy
37 shall be appointed by the sheriff, shall be under his or her direct supervision and control,
38 and shall serve at the pleasure of the sheriff. The individual appointed by the sheriff of
39 Cobb County shall possess, at a minimum, a high school education or its equivalent and
40 shall either be a graduate of the Federal Bureau of Investigation's National Academy for
41 Peace Officers or possess ten years of actual experience as a peace officer or be a graduate
42 of a law school accredited by the Georgia Bar Association or be a graduate of the Southern
43 Police Institute School of Police Management and Administration or have a master's degree

44 from an accredited college or university. The salary of the assistant chief deputy shall be
45 determined by the sheriff, to be paid in equal monthly installments from the funds of Cobb
46 County; provided, however, that salary increases shall be approved by the sheriff and the
47 board of commissioners of Cobb County.

48 (d) In addition to those employees provided for by subsections (b) and (c) of this section,
49 there is created the position of executive assistant to the sheriff. The executive assistant
50 shall be appointed by the sheriff, shall be under his or her direct supervision and control,
51 and shall serve at the pleasure of the sheriff. The sheriff shall establish such qualifications,
52 education, and experience as he or she deems necessary for the individual appointed to the
53 position of executive assistant. The salary of the executive assistant shall be determined
54 by the sheriff, to be paid in equal monthly installments from the funds of Cobb County;
55 provided, however, that salary increases shall be approved by the sheriff and the board of
56 commissioners of Cobb County.

57 (e) In addition to the compensation provided for in this subsection, the chief deputy sheriff,
58 assistant chief deputy, deputies, and executive assistant to the sheriff shall be entitled to
59 any cost-of-living increase or merit increase approved by the governing authority of Cobb
60 County for county employees."

61 **SECTION 2.**

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