

Senate Bill 425

By: Senators Tippins of the 37th, Hill of the 32nd, Hill of the 6th, Beach of the 21st and Thompson of the 14th

AS PASSED

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, particularly by an Act
4 approved May 12, 2008 (Ga. L. 2008, p. 3702) and an Act approved May 6, 2013 (Ga. L.
5 2013, p. 4150), so as to change the compensation of the deputy clerk of the superior court,
6 the chief deputy, the chief investigator, and the executive assistant to the sheriff; to provide
7 for related matters; to provide for an effective date; to repeal conflicting laws; and for other
8 purposes.

9

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11

SECTION 1.

12 An Act changing the compensation of the clerk of the superior court, the sheriff, and the
13 judge of the Probate Court of Cobb County from the fee system to the salary system,
14 approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act
15 approved May 12, 2008 (Ga. L. 2008, p. 3702) and an Act approved May 6, 2013 (Ga. L.
16 2013, p. 4150), is amended by striking subsection (b) of Section 4 thereof and inserting in
17 its place a new subsection (b) to read as follows:

18 "(b) The clerk of the superior court shall be allowed a deputy clerk whose annual salary
19 shall be \$98,303.60 to be paid in equal monthly installments from the funds in the county
20 treasury. Any candidate for the office of clerk of the Superior Court of Cobb County shall,
21 on the date of his or her qualification for such office in either a primary or general election,
22 certify to the judge of the Probate Court of Cobb County the name of the person he or she
23 shall appoint as deputy clerk in the event he or she is elected to the office of clerk; and the
24 person so named and certified by the successful candidate for such office shall serve as the
25 deputy clerk during the term for which he or she was so named. In the event of the death
26 or removal from office of said deputy clerk, the clerk of the superior court shall have 30
27 days from said date of death or removal from office of said deputy clerk to certify to the

28 judge of the Probate Court of Cobb County the name of the new deputy clerk to be
 29 appointed. In addition to said deputy clerk, the clerk of the Superior Court of Cobb County
 30 shall be authorized and empowered to employ the clerical help necessary to perform
 31 properly the functions and duties of the office, provided that the number of employees and
 32 salaries or other compensation to be paid to each shall first be approved by the governing
 33 authority of Cobb County."

34 **SECTION 2.**

35 Said Act is further amended by revising subsections (b), (c), and (d) of Section 5 as follows:

36 "(b) The sheriff of Cobb County shall have one chief deputy whose salary shall be
 37 \$127,057.47 per annum, to be paid in equal monthly installments from the funds of Cobb
 38 County. The chief deputy sheriff shall possess the same qualifications for office as
 39 required for the sheriff. The chief deputy shall serve at the pleasure of the sheriff. Each
 40 candidate for the office of sheriff of Cobb County shall, at the time he or she qualifies to
 41 run for the office of sheriff, designate and certify to the judge of the probate court the name
 42 of the person who shall be his or her chief deputy sheriff. In the event the office of sheriff
 43 becomes vacant by death, resignation, or otherwise, the vacancy shall be filled until the
 44 next general election by said chief deputy, who shall in such event enter upon the
 45 performance of said duties upon taking the oath of office prescribed by law for the sheriff
 46 of Cobb County. The chief deputy sheriff is authorized, when directed by the sheriff, to
 47 discharge any and all of the duties and powers of the sheriff. In addition to said chief
 48 deputy, said sheriff shall be authorized to name and appoint such additional deputies as
 49 shall be approved from time to time by the governing authority of Cobb County. The
 50 salaries of said additional deputies shall be set by the governing authority of Cobb County;
 51 provided, however, that said salaries shall not be less than \$4,880.00 per annum per each
 52 additional deputy approved by said governing authority of Cobb County. In addition to
 53 said chief deputy and other deputies provided for in this subsection, the sheriff of Cobb
 54 County shall be authorized to employ the clerical help necessary to perform properly the
 55 functions and duties of his or her office, provided that the number of employees and
 56 salaries or other compensation to be paid to each shall first be approved by the governing
 57 authority of Cobb County.

58 (c) In addition to those employees provided for by subsection (b) of this section, there is
 59 created the office of chief investigator for Cobb County. The chief investigator shall be
 60 appointed by the sheriff, shall be under his or her direct supervision and control, and shall
 61 serve at the pleasure of the sheriff. The individual appointed by the sheriff of Cobb County
 62 shall possess, at a minimum, a high school education or its equivalent and shall either be
 63 a graduate of the Federal Bureau of Investigation's National Academy for Peace Officers

64 or possess ten years of actual experience as a peace officer or be a graduate of a law school
65 accredited by the Georgia Bar Association or be a graduate of the Southern Police Institute
66 School of Police Management and Administration or have a master's degree from an
67 accredited college or university. The salary of the chief investigator shall be \$115,286.64
68 per annum, to be paid in equal monthly installments from the funds of Cobb County.

69 (d) In addition to those employees provided for in subsections (b) and (c) of this section,
70 there is created the position of executive assistant to the sheriff. The executive assistant
71 shall be appointed by the sheriff, shall be under his or her direct supervision and control,
72 and shall serve at the pleasure of the sheriff. The sheriff shall establish such qualifications,
73 education, and experience as he or she deems necessary for the individual appointed to the
74 position of executive assistant. The salary of the executive assistant shall be \$69,269.33
75 per annum, to be paid in equal monthly installments from the funds of Cobb County."

76 **SECTION 3.**

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

79 **SECTION 4.**

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