

House Bill 669 (AS PASSED HOUSE AND SENATE)

By: Representatives Stephens of the 164th, Bryant of the 162nd, Petrea of the 166th, Stephens of the 165th, Gordon of the 163rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the compensation of certain officials in Chatham County,
2 approved March 26, 1986 (Ga. L. 1986, p. 4797), as amended, particularly by an Act
3 approved May 29, 2007 (Ga. L. 2007, p. 4351), so as to provide for the compensation of
4 certain Chatham County officials; to provide for the compensation of the Judge of the
5 Probate Court, the Chief Judge of the State Court, the Chief Magistrate, the full-time
6 Magistrates, and the Presiding Judge of the Juvenile Court of Chatham County; to provide
7 for certain salary adjustments; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act providing for the compensation of certain officials in Chatham County, approved
11 March 26, 1986 (Ga. L. 1986, p. 4797), as amended, particularly by an Act approved May
12 29, 2007 (Ga. L. 2007, p. 4351), is amended in Section 1 by revising subsections (a) and (b)
13 as follows:

14 "(a)(1) As used in this subsection, the term 'county supplemental salary' means the
15 amount of compensation remaining after subtracting base salary, cost-of-living
16 allocations granted by either the state or local governing authority, longevity or other
17 statutorily granted fees, or other compensation granted by general law. The county
18 supplemental salary for a county officer or official provided for in this section shall be
19 adjusted as provided for in this subsection or by the Board of Commissioners, so long as
20 such supplemental salary is not reduced for an officer or official during a current term of
21 office.

22 (2) The officers subject to the provisions of this Act shall receive the following
23 compensation:

24 (A) The tax commissioner shall receive the minimum annual salary provided by Code
25 Section 48-5-183 of the O.C.G.A. and a salary supplement in the amount of \$18,318.00
26 per year;

27 (B) The clerk of the superior court shall receive the minimum annual salary provided
28 by Code Section 15-6-88 of the O.C.G.A. and a salary supplement in the amount of
29 \$18,318.00 per year;

30 (C) The sheriff shall receive the minimum annual salary provided by Code Section
31 15-16-20 of the O.C.G.A. and a salary supplement in the amount of \$25,241.00 per
32 year; and

33 (D) The coroner shall receive the minimum annual salary provided by Code Section
34 45-16-11 of the O.C.G.A. and a salary supplement in the amount of \$54,000.00 per
35 year.

36 (3)(A) Actual total compensation received upon the effective date of this Act shall be
37 the current compensation of the officer or official, and such compensation shall not be
38 reduced within a current term of office.

39 (B) For each successive term of office, should there be a change in the officer or
40 official elected or holding such office by other selection method, then the county
41 supplemental salary shall be eliminated unless action is taken by the Board of
42 Commissioners prior to the conclusion of the current term to continue, increase, or
43 decrease the county supplemental salary.

44 (C) The Board of Commissioners shall exercise its discretion to grant or deny any
45 increase in county supplemental salary to the extent permitted under general law.

46 (b)(1) The compensation received by any judge on the effective date of this Act,
47 including salaries, cost-of-living increases, and longevity increases, shall not be reduced
48 during any such judge's current term of office. Should the person serving as a full-time
49 judge on the effective date of this Act be receiving more compensation than the
50 compensation as calculated pursuant to subsection (6) of this Act, then such person shall
51 not be entitled to any further salary adjustments, notwithstanding any other provision of
52 this Act, until his or her salary is in an amount as calculated according to paragraph (6)
53 of this subsection.

54 (2) No judge shall be entitled to any salary adjustment from county funds except as
55 provided in this subsection. Should any general law be enacted mandating an increase
56 in the total compensation of any judge by a method other than granting a general salary
57 increase to the judges of the superior courts, then the salary adjustments provided for in
58 paragraph (6) of this subsection shall be reduced by an amount equal to the additional
59 amount so granted by general law. Such reduction shall become effective on the first
60 day of the next term of office.

61 (3) Should any judge not currently entitled to longevity pay pursuant to general law be
62 subsequently granted such longevity pay, the amount of longevity pay provided for in

63 paragraph (6) of this subsection shall be reduced by an amount equal to the longevity pay
64 so granted by general law.

65 (4) This subsection establishes salaries for the respective judicial officers, and no
66 compensation shall be considered a salary supplement.

67 (5) Any longevity pay described in paragraph (6) of this subsection shall be effective for
68 each term that begins after January 1, 2016, and no term completed before that date shall
69 be used to compute such longevity pay.

70 (6)(A)(i) The judge of the probate court shall receive an annual salary equal to the
71 sum of 80 percent of the annual salary of a judge of the superior court provided in
72 Code Section 45-7-4 of the O.C.G.A., plus 80 percent of the annual amount of any
73 supplement paid by the governing authority of Chatham County to a judge of the
74 superior court, excluding any longevity pay to a judge of the superior court pursuant
75 to Ga. L. 1997, p. 4108.

76 (ii) For each four-year term following the initial term of office, the judge of the
77 probate court shall be entitled to an increase in his or her annual salary in the amount
78 of \$800.00, provided that such longevity increase and any cost-of-living adjustment
79 shall be automatically reduced to reflect an increase provided in general law. This
80 subparagraph shall apply to terms beginning on or after January 1, 2016.

81 (B)(i) The chief judge of the state court shall receive an annual salary equal to the
82 sum of 95 percent of the annual salary of a judge of the superior court as provided in
83 Code Section 45-7-4 of the O.C.G.A., plus 95 percent of the annual amount of any
84 supplement paid by the governing authority of Chatham County to a judge of the
85 superior court, excluding any longevity pay to a judge of the superior court pursuant
86 to Ga. L. 1997, p. 4108. In addition, the governing authority of Chatham County shall
87 pay to the chief judge of the state court an additional salary supplement as additional
88 compensation for performing the duties incumbent upon a chief judge of not less than
89 95 percent of the salary supplement paid to the chief judge of the Eastern Judicial
90 Circuit.

91 (ii) For each four-year term following the initial term of office, the chief judge of the
92 state court shall be entitled to an increase in his or her annual salary in the amount of
93 \$950.00, provided that such longevity increase and any cost-of-living adjustment shall
94 be automatically reduced to reflect an increase provided in general law. This
95 subparagraph shall apply to terms beginning on or after January 1, 2016.

96 (C)(i) The judges of the state court shall receive an annual salary equal to the sum of
97 95 percent of the annual salary of a judge of the superior court as provided in Code
98 Section 45-7-4 of the O.C.G.A., plus 95 percent of the annual amount of any
99 supplement paid by the governing authority of Chatham County to a judge of the

100 superior court, excluding any longevity pay to a judge of the superior court pursuant
101 to Ga. L. 1997, p. 4108.

102 (ii) For each four-year term following the initial term of office, each judge of the
103 state court shall be entitled to an increase in his or her annual salary in the amount of
104 \$950.00, provided that such longevity increase and any cost-of-living adjustment shall
105 be automatically reduced to reflect an increase provided in general law. This
106 subparagraph shall apply to terms beginning on or after January 1, 2016.

107 (D)(i) The chief magistrate shall receive an annual salary equal to the sum of 85
108 percent of the annual salary of a judge of the superior court as provided in Code
109 Section 45-7-4 of the O.C.G.A., plus 85 percent of the annual amount of any
110 supplement paid by the governing authority of Chatham County to a judge of the
111 superior court, excluding any longevity pay to a judge of the superior court pursuant
112 to Ga. L. 1997, p. 4108. In addition, the governing authority of Chatham County shall
113 pay to the chief magistrate of the magistrate court an additional salary supplement as
114 additional compensation for performing the duties incumbent upon a chief judge
115 equal to 85 percent of the salary supplement paid to the Chief Judge of the Eastern
116 Judicial Circuit.

117 (ii) For each four-year term following the initial term of office, the chief magistrate
118 shall be entitled to an increase in his or her annual salary in the amount of \$850.00,
119 provided that such longevity increase and any cost-of-living adjustment shall be
120 automatically reduced to reflect an increase provided in general law. This
121 subparagraph shall apply to terms served after January 1, 2016.

122 (E)(i) Each full-time magistrate shall receive an annual salary equal to the sum of 85
123 percent of the annual salary of a judge of the superior court as provided in Code
124 Section 45-7-4 of the O.C.G.A., plus 85 percent of the annual amount of any
125 supplement paid by the governing authority of Chatham County to a judge of the
126 superior court, excluding any longevity pay to a judge of the superior court pursuant
127 to Ga. L. 1997, p. 4108.

128 (ii) For each four-year term following the initial term of office, each full-time
129 magistrate shall be entitled to an increase in his or her annual salary in the amount of
130 \$850.00, provided that such longevity increase and any cost-of-living adjustment shall
131 be automatically reduced to reflect an increase provided in general law. This
132 subparagraph shall apply to terms served after January 1, 2016.

133 (F) With the combined consent of the Board of Commissioners and the judges of the
134 superior court, the presiding judge of the juvenile court and the judges of the juvenile
135 court shall receive an annual salary equal to the sum of 90 percent of the annual salary
136 of the judge of the superior court.

137 (7) The annual compensation provided in paragraph (6) of this subsection shall be paid
138 in equal monthly installments. No provision of this Act shall be applied so as to reduce
139 the compensation of any officer during a term of office."

140

SECTION 2.

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