

Senate Bill 104

By: Senator Rhett of the 33rd

**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 13, 2022 (Ga. L. 2022, p. 6110), so as to change the compensation of the  
5 sheriff, chief deputy, the assistant chief deputy, and the executive assistant to the sheriff; to  
6 remove provisions relating to the qualifications of the assistant chief deputy; to provide for  
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act changing the compensation of the clerk of the superior court, the sheriff, and the  
11 judge of the Probate Court of Cobb County from the fee system to the salary system,  
12 approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act  
13 approved May 13, 2022 (Ga. L. 2022, p. 6110), is amended by revising Section 5 as follows:

14 "SECTION 5.

15 (a) The sheriff of Cobb County shall be paid an amount not to exceed \$195,000.00 per  
16 year in equal monthly installments from the funds of Cobb County.

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17 (b) The sheriff of Cobb County shall have one chief deputy whose salary shall not exceed  
18 \$175,000.00 per year, approved by the governing authority of Cobb County to be paid in  
19 equal monthly installments from the funds of Cobb County. The chief deputy sheriff shall  
20 possess the same qualifications for office as required for the sheriff. The chief deputy shall  
21 serve at the pleasure of the sheriff. Each candidate for the office of sheriff of Cobb County  
22 shall, at the time he or she qualifies to run for the office of sheriff, designate and certify to  
23 the judge of the probate court the name of the person who shall be his or her chief deputy  
24 sheriff. In the event the office of sheriff becomes vacant by death, resignation, or  
25 otherwise, the vacancy shall be filled by said chief deputy upon taking the oath of office  
26 prescribed by law for the sheriff of Cobb County and until a special election can be  
27 conducted pursuant to subsection (b) of Code Section 15-16-8 of the O.C.G.A.; provided,  
28 however, that if less than six months remain on the unexpired term of the sheriff, then said  
29 chief deputy shall serve out the remainder of the unexpired term. The chief deputy sheriff  
30 is authorized, when directed by the sheriff, to discharge any and all of the duties and  
31 powers of the sheriff. In addition to said chief deputy, said sheriff shall be authorized to  
32 name and appoint such additional deputies as shall be approved from time to time by the  
33 governing authority of Cobb County. The salaries of said additional deputies shall be set  
34 by the governing authority of Cobb County; provided, however, that said salaries shall not  
35 be less than \$4,880.00 per annum per each additional deputy approved by said governing  
36 authority of Cobb County. In addition to said chief deputy and other deputies provided for  
37 in this subsection, the sheriff of Cobb County shall be authorized to employ the clerical  
38 help necessary to perform properly the functions and duties of his or her office, provided  
39 that the number of employees and salaries or other compensation to be paid to each shall  
40 first be approved by the governing authority of Cobb County.

41 (c) In addition to those employees provided for by subsection (b) of this section, there is  
42 created the office of assistant chief deputy for Cobb County. The assistant chief deputy  
43 shall be appointed by the sheriff, shall be under his or her direct supervision and control,

44 and shall serve at the pleasure of the sheriff. The salary of the assistant chief deputy shall  
45 not exceed \$170,000.00 per year, approved by the governing authority of Cobb County to  
46 be paid in equal monthly installments from the funds of Cobb County.

47 (d) In addition to those employees provided for in subsections (b) and (c) of this section,  
48 there is created the position of executive assistant to the sheriff. The executive assistant  
49 shall be appointed by the sheriff, shall be under his or her direct supervision and control,  
50 and shall serve at the pleasure of the sheriff. The sheriff shall establish such qualifications,  
51 education, and experience as he or she deems necessary for the individual appointed to the  
52 position of executive assistant. The salary of the executive assistant shall not  
53 exceed \$90,000.00 per year, approved by the governing authority of Cobb County to be  
54 paid in equal monthly installments from the funds of Cobb County."

55 **SECTION 2.**

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