

Senate Bill 13 - Prefile

By: Senator Seay of the 34th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding salaries of certain state officials, so as to revise the
3 compensation of members and officers of the General Assembly; to provide for related
4 matters; to provide for an effective date; to provide for an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article 1 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to
9 general provisions regarding salaries of certain state officials, is amended by revising Code
10 Section 45-7-4, relating to annual salaries of certain state officials and cost-of-living
11 adjustments, as follows:

12 "45-7-4.

13 (a) The annual salary of each of the state officials listed below shall be as follows:

14 (1) Governor \$ 175,000.00

15 An allowance in an amount specified in the appropriations Act shall
16 also be provided for the operation of the Governor's mansion.

17 (2) Lieutenant Governor ~~54,920.00~~

18 135,000.00

19 (3) Adjutant general

20 The adjutant general shall continue to receive the pay and allowances
21 under the same procedure as provided by law.

22 (4) Commissioner of Agriculture 100,429.00

23 (5) Attorney General 114,633.00

24 (6) Reserved.

25 (7) Commissioner of Insurance 100,396.00

26 (8) Reserved.

27	(9) Commissioner of Labor	100,418.00
28	The above amount of salary for the Commissioner of Labor shall	
29	include any compensation received from the United States government	
30	and the amount of state funds paid shall be reduced by the amount of	
31	compensation received from the United States government.	
32	(10) Reserved.	
33	(11) Each member of the Public Service Commission	96,655.00
34	(12) Reserved.	
35	(13) State School Superintendent	102,708.00
36	(14) Secretary of State	102,708.00
37	(15) Reserved.	
38	(16) Reserved.	
39	(17) Reserved.	
40	(18) Each Justice of the Supreme Court	175,600.00
41	(19) Each Judge of the Court of Appeals	174,500.00
42	(20) Each superior court judge	126,265.00
43	(21) Each district attorney	120,072.00
44	(22) Each member of the General Assembly	16,200.00
45		<u>29,908.00</u>

46 (A) Reserved.

47 (B) Each member of the General Assembly shall also receive the
 48 allowances provided by law. The amount of the daily expense allowance
 49 which each member is entitled to receive under the provisions of Code
 50 Section 28-1-8 shall be as provided in that Code section. The mileage
 51 allowance for the use of a personal car on official business shall be the
 52 same as that received by other state officials and employees.

53 (C) In addition to any other compensation and allowances authorized for
 54 members of the General Assembly, each member may be reimbursed for
 55 per diem differential and for actual expenses incurred in the performance
 56 of duties as a member of the General Assembly in an amount not to
 57 exceed \$7,000.00 per year. Expenses reimbursable up to such amount
 58 shall be limited to one or more of the following purposes: lodging, meals,
 59 per diem differential, postage, personal services, printing and publications,
 60 rents, supplies (including software), telecommunications, transportation,
 61 utilities, purchasing or leasing of equipment, and other reasonable
 62 expenditures directly related to the performance of a member's duties. If

63 equipment purchased by a member has a depreciated value of \$100.00 or
64 less when such member leaves office, the equipment does not need to be
65 returned to the state. No reimbursement shall be made for any postage
66 which is used for a political newsletter. No reimbursement shall be paid
67 for lodging or meals for any day for which a member receives the daily
68 expense allowance as provided in this paragraph. Eligible expenses shall
69 be reimbursed following the submission of vouchers to the legislative
70 fiscal office in compliance with the requirements of this subparagraph and
71 subject to the provisions of subparagraph (E) of this paragraph. Such
72 vouchers shall be submitted in such form and manner as prescribed by the
73 Legislative Services Committee pursuant to subparagraph (E) of this
74 paragraph, provided that each such voucher shall be accompanied by a
75 supporting document or documents, or legible copies thereof, showing
76 payment for each expense claimed or an explanation of the absence of
77 such documentation; in addition, each such voucher shall include a
78 certification by the member that the information contained in such
79 voucher and supporting document or documents, or legible copies thereof,
80 is true and correct and that such expenses were incurred by the member.
81 The provisions of Code Section 16-10-20 shall be applicable to any
82 person submitting such certified vouchers and supporting documents or
83 copies the same as if the General Assembly were a department or agency
84 of state government. No such voucher or supporting document shall be
85 required for per diem differential.

86 (D) The amount of per diem differential which may be claimed for each
87 day under subparagraph (C) of this paragraph shall be the difference
88 between the daily expense allowance authorized for members of the
89 General Assembly and \$119.00; provided, however, that the General
90 Appropriations Act for any fiscal year may increase such amount of
91 \$119.00 per day to an amount not in excess of the federal per diem rate
92 then in effect for the state capital as specified by the General Services
93 Administration. Per diem differential shall be paid by the legislative fiscal
94 office to the member upon the member's notification to the legislative
95 fiscal office of the days for which the daily expense allowance was
96 received for which the member wishes to claim the per diem differential,
97 and the legislative fiscal office shall keep a record of the days for which
98 per diem differential is so claimed and paid.

99 (E) For the purposes of this paragraph, a year shall begin on the
100 convening date of the General Assembly in regular session each year and
101 end on the day prior to the convening of the General Assembly in the next
102 calendar year. Any voucher or claim for any reimbursement for any year
103 as defined in this paragraph shall be submitted no later than the fifteenth
104 of April immediately following the end of such year. No reimbursement
105 shall be made on any voucher or claim submitted after that date. Any
106 amounts remaining in such expense account at the end of the first year of
107 the two-year biennium may be claimed for expenses incurred during the
108 second year of the two year biennium. Any amounts remaining in any
109 expense account which are not so claimed by April 15 of the year
110 following the second year of the biennium and any amounts claimed
111 which are returned as hereafter provided for in this paragraph shall lapse
112 and shall be remitted by the legislative fiscal office to the general fund of
113 the state treasury. Any former member of the General Assembly may be
114 reimbursed for expenses incurred while a member of the General
115 Assembly upon compliance with the provisions of this paragraph. The
116 Legislative Services Committee is empowered to provide such procedures
117 as it deems advisable to administer the provisions of this paragraph,
118 including, but not limited to, definitions of the above list of items for
119 which reimbursement may be made; provided, however, that the term
120 'other reasonable expenditures directly related to the performance of a
121 member's duties' shall be as defined by policies adopted by the Speaker
122 of the House of Representatives and by the Senate Administrative Affairs
123 Committee as to reimbursement of such expenditures incurred by
124 members of the House and Senate, respectively; and provided, further,
125 that the amount of expenses which may be reimbursed within the limits
126 of subparagraph (C) of this paragraph for travel outside the state may be
127 as provided by policies adopted by the Speaker of the House of
128 Representatives and by the Senate Administrative Affairs Committee as
129 to such expenditures of members of the House and Senate, respectively.
130 The Legislative Services Committee is further empowered to prescribe the
131 form of the voucher or claim which must be submitted to the legislative
132 fiscal office. In the event of any disagreement as to whether any
133 reimbursement shall be made or any allowance shall be paid, the
134 Legislative Services Committee shall make the final determination; except
135 that in the event of any disagreement as to whether any reimbursement

136 under subparagraph (C) of this paragraph shall be made for other
 137 reasonable expenses directly related to the performance of a member's
 138 duties or for travel outside the state, the Speaker of the House of
 139 Representatives shall make the final determination as to such expenses
 140 incurred by a member of the House, and the Senate Administrative Affairs
 141 Committee shall make the final determination as to such expenses
 142 incurred by a member of the Senate. In the event any reimbursement is
 143 made or any allowance is paid and it is later determined that such
 144 reimbursement or payment was made in error, the person to whom such
 145 reimbursement or payment was made shall remit to the legislative fiscal
 146 office the amount of money involved. In the event any such person
 147 refuses to make such remittance, the legislative fiscal office is authorized
 148 to withhold the payment of any other moneys to which such person is
 149 entitled until the amount of such reimbursement or payment which was
 150 made in error shall be realized.

151 (23) Speaker of the House of Representatives 17,800.00
 152 135,000.00

153 The Speaker of the House of Representatives shall ~~also~~ receive the such
 154 salary and allowances in lieu of the salary authorized as a member of the
 155 General Assembly. ~~Upon the taking of office by the members of the~~
 156 ~~General Assembly on the convening day of the regular session of the~~
 157 ~~General Assembly in 1983, the annual salary of the Speaker of the House~~
 158 ~~of Representatives shall become \$22,800.00. After such date, the Speaker~~
 159 ~~shall also receive as additional salary a sum equal to the amount of salary~~
 160 ~~over \$30,000.00 per annum which is received by the Lieutenant Governor~~
 161 ~~as of that date or thereafter, and the salary of the Speaker shall be adjusted~~
 162 ~~at the beginning of each term so as to include such additional sum.~~

163 (24) President Pro Tempore of the Senate 4,800.00
 164 35,908.00

165 The President Pro Tempore of the Senate shall ~~also~~ receive such
 166 salary in lieu of the salary and allowances authorized as a member of
 167 the General Assembly.

168 (25) Speaker Pro Tempore of the House of Representatives 4,800.00
 169 35,908.00

170 The Speaker Pro Tempore of the House of Representatives shall ~~also~~
 171 receive such salary in lieu of the salary and allowances authorized as
 172 a member of the General Assembly.

173 (b) As an adjustment except as qualified below as to members and member-officers of the
 174 General Assembly, the annual salary of each state official whose salary is established by
 175 Code Section 45-7-3, this Code section, and Code Sections 45-7-20 and 45-7-21, including
 176 members of the General Assembly, the Speaker of the House of Representatives, the
 177 President Pro Tempore of the Senate, and the Speaker Pro Tempore of the House of
 178 Representatives, may be increased by the General Assembly in the General Appropriations
 179 Act by a percentage not to exceed the average percentage of the increase in salary as may
 180 from time to time be granted to employees of the executive, judicial, and legislative
 181 branches of government. However, any increase for such officials shall not include
 182 within-grade step increases for which employees subject to compensation plans authorized
 183 and approved in accordance with Code Section 45-20-4 are eligible. Any increase granted
 184 pursuant to this subsection shall become effective at the same time that funds are made
 185 available for the increase for such employees, except increases for members and
 186 member-officers of the General Assembly. That portion of the increase determined by the
 187 Legislative Services Committee to reflect a cost-of-living increase based upon objective
 188 economic criteria shall become effective for members and member-officers at the same
 189 time that funds are made available for the increase for such employees. The balance of the
 190 increase for members and member-officers of the General Assembly shall become effective
 191 on the convening of the next General Assembly in January of the next odd-numbered year.
 192 The Office of Planning and Budget shall calculate the average percentage increase.

193 (c) The annual salary being received on June 30, 1980, shall be increased by 8 percent for
 194 each state official listed in subsection (a) of this Code section who:

- 195 (1) Is not a member of the General Assembly; and
 196 (2) Is not a contributing member of a state retirement system and, therefore, does not
 197 benefit by or participate in any program whereunder a portion of the employee
 198 contributions to the state retirement system are made on behalf of the employee by the
 199 employer."

200 **SECTION 2.**

201 This Act shall become effective on January 1, 2021.

202 **SECTION 3.**

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