

Senate Bill 252

By: Senators Seay of the 34th, Sims of the 12th, Butler of the 55th, Cowsert of the 46th,
Mullis of the 53rd and others

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 and fees for public officers, so as to revise
3 the compensation of certain public officials; to provide for related matters; to provide for an
4 effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

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

11 "45-7-4.

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

13 (1) Governor \$ 175,000.00

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

16	(2) Lieutenant Governor	54,920.00
		<u>135,000.00</u>
17	Notwithstanding any provision of law to the contrary, the annual salary for	
18	the Lieutenant Governor for the 2021 fiscal year shall be reduced by an	
19	amount equal to 14 percent of the amount received for such office during	
20	the 2020 fiscal year.	
21	(3) Adjutant general	
22	The adjutant general shall continue to receive the pay and allowances under	
23	the same procedure as provided by law.	
24	(4) Commissioner of Agriculture	100,429.00
		<u>144,653.00</u>
25	(5) Attorney General	114,633.00
		<u>165,611.00</u>
26	(6) Reserved.	
27	(7) Commissioner of Insurance	100,396.00
		<u>143,269.00</u>
28	(8) Reserved.	
29	(9) Commissioner of Labor	100,418.00
		<u>146,115.00</u>
30	The above amount of salary for the Commissioner of Labor shall include	
31	any compensation received from the United States government and the	
32	amount of state funds paid shall be reduced by the amount of compensation	
33	received from the United States government.	
34	(10) Reserved.	
35	(11) Each member of the Public Service Commission	96,655.00
		<u>138,974.00</u>

36	(12) Reserved.	
37	(13) State School Superintendent	102,708.00
		<u>146,691.00</u>
38	(14) Secretary of State	102,708.00
		<u>147,128.00</u>
39	(15) Reserved.	
40	(16) Reserved.	
41	(17) Reserved.	
42	(18) Each Justice of the Supreme Court	175,600.00
43	(19) Each Judge of the Court of Appeals	174,500.00
44	(19.1) Judge of the Georgia State-wide Business Court	174,500.00
45	(20) Each superior court judge	126,265.00
46	(21) Each district attorney	120,072.00
47	(22) Each member of the General Assembly	16,200.00
		<u>29,908.00</u>
48	(A) Notwithstanding any provision of law to the contrary, the annual	
49	salary for each member of the General Assembly for the 2021 fiscal year	
50	shall be reduced by an amount equal to 10 percent of the amount received	
51	for such office during the 2020 fiscal year.	
52	(B) Each member of the General Assembly shall also receive the	
53	allowances provided by law. The amount of the daily expense allowance	
54	which each member is entitled to receive under the provisions of Code	
55	Section 28-1-8 shall be as provided in that Code section. The mileage	
56	allowance for the use of a personal car on official business shall be the	
57	same as that received by other state officials and employees.	

~~(C) In addition to any other compensation and allowances authorized for members of the General Assembly, each member may be reimbursed for per diem differential and for actual expenses incurred in the performance of duties as a member of the General Assembly in an amount not to exceed \$7,000.00 per year. Expenses reimbursable up to such amount shall be limited to one or more of the following purposes: lodging, meals, per diem differential, postage, personal services, printing and publications, rents, supplies (including software), telecommunications, transportation, utilities, purchasing or leasing of equipment, and other reasonable expenditures directly related to the performance of a member's duties. If equipment purchased by a member has a depreciated value of \$100.00 or less when such member leaves office, the equipment does not need to be returned to the state. No reimbursement shall be made for any postage which is used for a political newsletter. No reimbursement shall be paid for lodging or meals for any day for which a member receives the daily expense allowance as provided in this paragraph. Eligible expenses shall be reimbursed following the submission of vouchers to the legislative fiscal office in compliance with the requirements of this subparagraph and subject to the provisions of subparagraph (E) of this paragraph. Such vouchers shall be submitted in such form and manner as prescribed by the Legislative Services Committee pursuant to subparagraph (E) of this paragraph, provided that each such voucher shall be accompanied by a supporting document or documents, or legible copies thereof, showing payment for each expense claimed or an explanation of the absence of such documentation; in addition, each such voucher shall include a certification by the member that the information contained in such voucher and supporting document~~

85 ~~or documents, or legible copies thereof, is true and correct and that such~~
86 ~~expenses were incurred by the member. The provisions of Code Section~~
87 ~~16-10-20 shall be applicable to any person submitting such certified~~
88 ~~vouchers and supporting documents or copies the same as if the General~~
89 ~~Assembly were a department or agency of state government. No such~~
90 ~~voucher or supporting document shall be required for per diem~~
91 ~~differential.~~

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

105 ~~(E) For the purposes of this paragraph, a year shall begin on the~~
106 ~~convening date of the General Assembly in regular session each year and~~
107 ~~end on the day prior to the convening of the General Assembly in the~~
108 ~~next calendar year. Any voucher or claim for any reimbursement for any~~
109 ~~year as defined in this paragraph shall be submitted no later than the~~
110 ~~fifteenth of April immediately following the end of such year. No~~
111 ~~reimbursement shall be made on any voucher or claim submitted after~~

112 ~~that date. Any amounts remaining in such expense account at the end of~~
113 ~~the first year of the two-year biennium may be claimed for expenses~~
114 ~~incurred during the second year of the two-year biennium. Any amounts~~
115 ~~remaining in any expense account which are not so claimed by April 15~~
116 ~~of the year following the second year of the biennium and any amounts~~
117 ~~claimed which are returned as hereafter provided for in this paragraph~~
118 ~~shall lapse and shall be remitted by the legislative fiscal office to the~~
119 ~~general fund of the state treasury. Any former member of the General~~
120 ~~Assembly may be reimbursed for expenses incurred while a member of~~
121 ~~the General Assembly upon compliance with the provisions of this~~
122 ~~paragraph. The Legislative Services Committee is empowered to provide~~
123 ~~such procedures as it deems advisable to administer the provisions of this~~
124 ~~paragraph, including, but not limited to, definitions of the above list of~~
125 ~~items for which reimbursement may be made; provided, however, that~~
126 ~~the term 'other reasonable expenditures directly related to the~~
127 ~~performance of a member's duties' shall be as defined by policies adopted~~
128 ~~by the Speaker of the House of Representatives and by the Senate~~
129 ~~Administrative Affairs Committee as to reimbursement of such~~
130 ~~expenditures incurred by members of the House and Senate, respectively;~~
131 ~~and provided, further, that the amount of expenses which may be~~
132 ~~reimbursed within the limits of subparagraph (C) of this paragraph for~~
133 ~~travel outside the state may be as provided by policies adopted by the~~
134 ~~Speaker of the House of Representatives and by the Senate~~
135 ~~Administrative Affairs Committee as to such expenditures of members~~
136 ~~of the House and Senate, respectively. The Legislative Services~~
137 ~~Committee is further empowered to prescribe the form of the voucher or~~
138 ~~claim which must be submitted to the legislative fiscal office. In the~~

~~event of any disagreement as to whether any reimbursement shall be made or any allowance shall be paid, the Legislative Services Committee shall make the final determination; except that in the event of any disagreement as to whether any reimbursement under subparagraph (C) of this paragraph shall be made for other reasonable expenses directly related to the performance of a member's duties or for travel outside the state, the Speaker of the House of Representatives shall make the final determination as to such expenses incurred by a member of the House, and the Senate Administrative Affairs Committee shall make the final determination as to such expenses incurred by a member of the Senate. In the event any reimbursement is made or any allowance is paid and it is later determined that such reimbursement or payment was made in error, the person to whom such reimbursement or payment was made shall remit to the legislative fiscal office the amount of money involved. In the event any such person refuses to make such remittance, the legislative fiscal office is authorized to withhold the payment of any other moneys to which such person is entitled until the amount of such reimbursement or payment which was made in error shall be realized.~~

(23) Speaker of the House of Representatives	17,800.00
	<u>135,000.00</u>

~~The Speaker of the House of Representatives shall also receive the salary and allowances authorized as a member of the General Assembly. Upon the taking of office by the members of the General Assembly on the convening day of the regular session of the General Assembly in 1983, the annual salary of the Speaker of the House of Representatives shall become \$22,800.00. After such date, the Speaker shall also receive as additional salary a sum equal to the amount of salary over \$30,000.00 per annum~~

economic criteria shall become effective for members and member-officers at the same time that funds are made available for the increase for such employees. The balance of the increase for members and member-officers of the General Assembly shall become effective on the convening of the next General Assembly in January of the next odd-numbered year. The Office of Planning and Budget shall calculate the average percentage increase.

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

(1) Is not a member of the General Assembly; and

(2) Is not a contributing member of a state retirement system and, therefore, does not benefit by or participate in any program whereunder a portion of the employee contributions to the state retirement system are made on behalf of the employee by the employer.

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

(2)(A) In addition to any other compensation and allowances authorized for members of the General Assembly, each member may be reimbursed for per diem differential and for actual expenses incurred in the performance of duties as a member of the General Assembly in an amount not to exceed \$7,000.00 per year.

(B)(i) Expenses reimbursable up to such amount shall be limited to one or more of the following purposes: lodging, meals, per diem differential, postage, personal services, printing and publications, rents, supplies (including software), telecommunications, transportation, utilities, purchasing or leasing of equipment, and other reasonable expenditures directly related to the performance of a member's duties.

(ii) If equipment purchased by a member has a depreciated value of \$100.00 or less when such member leaves office, the equipment does not need to be returned to the state.

(iii) No reimbursement shall be made for any postage which is used for a political newsletter. No reimbursement shall be paid for lodging or meals for any day for which a member receives the daily expense allowance as provided in this paragraph.

(C)(i) Eligible expenses shall be reimbursed following the submission of vouchers to the legislative fiscal office in compliance with the requirements of this subparagraph and subject to the provisions of paragraph (4) of this subsection.

(ii) Such vouchers shall be submitted in such form and manner as prescribed by the Legislative Services Committee pursuant to paragraph (4) of this subsection, provided that each such voucher shall be accompanied by a supporting document or documents, or legible copies thereof, showing payment for each expense claimed or an explanation of the absence of such documentation; in addition, each such voucher shall include a certification by the member that the information contained in such voucher and supporting document or documents, or legible copies thereof, is true and correct and that such expenses were incurred by the member.

(iii) The provisions of Code Section 16-10-20 shall be applicable to any person submitting such certified vouchers and supporting documents or copies the same as if the General Assembly were a department or agency of state government.

(iv) No such voucher or supporting document shall be required for per diem differential.

(3)(A) The amount of per diem differential which may be claimed for each day pursuant to paragraph (2) of this subsection shall be the difference between the daily expense allowance authorized for members of the General Assembly and \$119.00; provided, however, that the General Appropriations Act for any fiscal year may increase such amount of \$119.00 per day to an amount not in excess of the federal per

diem rate then in effect for the state capital as specified by the General Services Administration.

(B) Per diem differential shall be paid by the legislative fiscal office to the member upon the member's notification to the legislative fiscal office of the days for which the daily expense allowance was received for which the member wishes to claim the per diem differential, and the legislative fiscal office shall keep a record of the days for which per diem differential is so claimed and paid.

(4)(A) For the purposes of this subsection, a year shall begin on the convening date of the General Assembly in regular session each year and end on the day prior to the convening of the General Assembly in the next calendar year.

(B) Any voucher or claim for any reimbursement for any year as defined in this paragraph shall be submitted no later than the fifteenth of April immediately following the end of such year. No reimbursement shall be made on any voucher or claim submitted after that date. Any amounts remaining in such expense account at the end of the first year of the two-year biennium may be claimed for expenses incurred during the second year of the two-year biennium. Any amounts remaining in any expense account which are not so claimed by April 15 of the year following the second year of the biennium and any amounts claimed which are returned as hereafter provided for in this paragraph shall lapse and shall be remitted by the legislative fiscal office to the general fund of the state treasury.

(C) Any former member of the General Assembly may be reimbursed for expenses incurred while a member of the General Assembly upon compliance with the provisions of this paragraph.

(5)(A) The Legislative Services Committee is empowered to provide such procedures as it deems advisable to administer the provisions of this subsection, including, but not limited to, definitions of the above list of items for which reimbursement may be made; provided, however, that the term 'other reasonable expenditures directly related to the

performance of a member's duties' shall be as defined by policies adopted by the Speaker of the House of Representatives and by the Senate Administrative Affairs Committee as to reimbursement of such expenditures incurred by members of the House and Senate, respectively; and provided, further, that the amount of expenses which may be reimbursed within the limits of paragraph (2) of this subsection for travel outside the state may be as provided by policies adopted by the Speaker of the House of Representatives and by the Senate Administrative Affairs Committee as to such expenditures of members of the House and Senate, respectively.

(B) The Legislative Services Committee is further empowered to prescribe the form of the voucher or claim which must be submitted to the legislative fiscal office. In the event of any disagreement as to whether any reimbursement shall be made or any allowance shall be paid, the Legislative Services Committee shall make the final determination; except that in the event of any disagreement as to whether any reimbursement pursuant to paragraph (2) of this subsection shall be made for other reasonable expenses directly related to the performance of a member's duties or for travel outside the state, the Speaker of the House of Representatives shall make the final determination as to such expenses incurred by a member of the House, and the Senate Administrative Affairs Committee shall make the final determination as to such expenses incurred by a member of the Senate.

(C) In the event any reimbursement is made or any allowance is paid and it is later determined that such reimbursement or payment was made in error, the person to whom such reimbursement or payment was made shall remit to the legislative fiscal office the amount of money involved. In the event any such person refuses to make such remittance, the legislative fiscal office is authorized to withhold the payment of any other moneys to which such person is entitled until the amount of such reimbursement or payment which was made in error shall be realized."

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SECTION 2.

298 This Act shall become effective on January 9, 2023.

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SECTION 3.

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