

The Senate Committee on Rules offered the following substitute to SB 252:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 28-1-8 and Article 1 of Chapter 7 of Title 45 of the Official Code
2 of Georgia Annotated, relating to salary and allowances of members and officers of the
3 General Assembly and general provisions regarding salaries and fees for public officers,
4 respectively, so as to revise the compensation of certain public officials; to provide for
5 related matters; to provide for an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 28-1-8, relating to salary and allowances of members and officers of the
10 General Assembly, is amended by revising subsection (a) as follows:

11 "(a)(1) Each member of the General Assembly shall receive an annual salary, as provided
12 for in Code Section 45-7-4, to be paid in equal monthly installments. Upon complying
13 with the requirements of ~~paragraph (22) of subsection (a)~~ subsection (d) of Code Section
14 45-7-4, each member shall also be reimbursed for those actual expenses incurred in the
15 performance of duties for which reimbursement is provided in said subsection. ~~paragraph~~
16 ~~(22) of subsection (a) of Code Section 45-7-4. The Speaker of the House of~~

17 ~~Representatives, the Speaker Pro Tempore of the House of Representatives, and the~~
 18 ~~President Pro Tempore of the Senate shall receive an additional amount per annum as~~
 19 ~~provided for in Code Section 45-7-4.~~

20 (2) The majority leader, the minority leader, the administration floor leader, and the
 21 assistant administration floor leaders of the House of Representatives and the majority
 22 leader, the minority leader, the administration floor leader, and the assistant
 23 administration floor leaders of the Senate shall each receive such additional amount per
 24 annum as shall be provided by resolution of the respective houses; but such amount for
 25 each shall not be greater than the additional amount provided by law for the Speaker Pro
 26 Tempore of the House of Representatives. All of such additional amounts shall also be
 27 paid in equal monthly installments."

28 **SECTION 2.**

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

33 "45-7-4.

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

35 (1) Governor \$ 175,000.00

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

38 (2) Lieutenant Governor 54,920.00
135,000.00

39 ~~Notwithstanding any provision of law to the contrary, the annual salary for~~
 40 ~~the Lieutenant Governor for the 2021 fiscal year shall be reduced by an~~
 41 ~~amount equal to 14 percent of the amount received for such office during~~
 42 ~~the 2020 fiscal year.~~

43 (3) Adjutant general

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

46 (4) Commissioner of Agriculture 100,429.00
 144,653.00

47 (5) Attorney General 114,633.00
 165,611.00

48 (6) Reserved.

49 (7) Commissioner of Insurance 100,396.00
 143,269.00

50 (8) Reserved.

51 (9) Commissioner of Labor 100,418.00
 146,115.00

52 The above amount of salary for the Commissioner of Labor shall include
 53 any compensation received from the United States government and the
 54 amount of state funds paid shall be reduced by the amount of compensation
 55 received from the United States government.

56 (10) Reserved.

57 (11) Each member of the Public Service Commission 96,655.00
 138,974.00

58 (12) Reserved.

59	(13) State School Superintendent	102,708.00 <u>146,691.00</u>
60	(14) Secretary of State	102,708.00 <u>147,128.00</u>
61	(15) Reserved.	
62	(16) Reserved.	
63	(17) Reserved.	
64	(18) Each Justice of the Supreme Court	175,600.00
65	(19) Each Judge of the Court of Appeals	174,500.00
66	(19.1) Judge of the Georgia State-wide Business Court	174,500.00
67	(20) Each superior court judge	126,265.00
68	(21) Each district attorney	120,072.00
69	(22) Each member of the General Assembly	16,200.00 <u>29,908.00</u>

70 ~~(A) Notwithstanding any provision of law to the contrary, the annual~~
 71 ~~salary for each member of the General Assembly for the 2021 fiscal year~~
 72 ~~shall be reduced by an amount equal to 10 percent of the amount received~~
 73 ~~for such office during the 2020 fiscal year.~~

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

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

107 ~~or documents, or legible copies thereof, is true and correct and that such~~
108 ~~expenses were incurred by the member. The provisions of Code Section~~
109 ~~16-10-20 shall be applicable to any person submitting such certified~~
110 ~~vouchers and supporting documents or copies the same as if the General~~
111 ~~Assembly were a department or agency of state government. No such~~
112 ~~voucher or supporting document shall be required for per diem~~
113 ~~differential.~~

114 ~~(D) The amount of per diem differential which may be claimed for each~~
115 ~~day under subparagraph (C) of this paragraph shall be the difference~~
116 ~~between the daily expense allowance authorized for members of the~~
117 ~~General Assembly and \$119.00, provided, however, that the General~~
118 ~~Appropriations Act for any fiscal year may increase such amount of~~
119 ~~\$119.00 per day to an amount not in excess of the federal per diem rate~~
120 ~~then in effect for the state capital as specified by the General Services~~
121 ~~Administration. Per diem differential shall be paid by the legislative~~
122 ~~fiscal office to the member upon the member's notification to the~~
123 ~~legislative fiscal office of the days for which the daily expense allowance~~
124 ~~was received for which the member wishes to claim the per diem~~
125 ~~differential, and the legislative fiscal office shall keep a record of the~~
126 ~~days for which per diem differential is so claimed and paid.~~

127 ~~(E) For the purposes of this paragraph, a year shall begin on the~~
128 ~~convening date of the General Assembly in regular session each year and~~
129 ~~end on the day prior to the convening of the General Assembly in the~~
130 ~~next calendar year. Any voucher or claim for any reimbursement for any~~
131 ~~year as defined in this paragraph shall be submitted no later than the~~
132 ~~fifteenth of April immediately following the end of such year. No~~
133 ~~reimbursement shall be made on any voucher or claim submitted after~~

134 ~~that date. Any amounts remaining in such expense account at the end of~~
135 ~~the first year of the two-year biennium may be claimed for expenses~~
136 ~~incurred during the second year of the two-year biennium. Any amounts~~
137 ~~remaining in any expense account which are not so claimed by April 15~~
138 ~~of the year following the second year of the biennium and any amounts~~
139 ~~claimed which are returned as hereafter provided for in this paragraph~~
140 ~~shall lapse and shall be remitted by the legislative fiscal office to the~~
141 ~~general fund of the state treasury. Any former member of the General~~
142 ~~Assembly may be reimbursed for expenses incurred while a member of~~
143 ~~the General Assembly upon compliance with the provisions of this~~
144 ~~paragraph. The Legislative Services Committee is empowered to provide~~
145 ~~such procedures as it deems advisable to administer the provisions of this~~
146 ~~paragraph, including, but not limited to, definitions of the above list of~~
147 ~~items for which reimbursement may be made; provided, however, that~~
148 ~~the term 'other reasonable expenditures directly related to the~~
149 ~~performance of a member's duties' shall be as defined by policies adopted~~
150 ~~by the Speaker of the House of Representatives and by the Senate~~
151 ~~Administrative Affairs Committee as to reimbursement of such~~
152 ~~expenditures incurred by members of the House and Senate, respectively;~~
153 ~~and provided, further, that the amount of expenses which may be~~
154 ~~reimbursed within the limits of subparagraph (C) of this paragraph for~~
155 ~~travel outside the state may be as provided by policies adopted by the~~
156 ~~Speaker of the House of Representatives and by the Senate~~
157 ~~Administrative Affairs Committee as to such expenditures of members~~
158 ~~of the House and Senate, respectively. The Legislative Services~~
159 ~~Committee is further empowered to prescribe the form of the voucher or~~
160 ~~claim which must be submitted to the legislative fiscal office. In the~~

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

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

180 The Speaker of the House of Representatives shall also receive the salary
 181 and allowances authorized as a member of the General Assembly. Upon
 182 the taking of office by the members of the General Assembly on the
 183 convening day of the regular session of the General Assembly in 1983, the
 184 annual salary of the Speaker of the House of Representatives shall become
 185 \$22,800.00. After such date, the Speaker shall also receive as additional
 186 salary a sum equal to the amount of salary over \$30,000.00 per annum

187 ~~which is received by the Lieutenant Governor as of that date or thereafter;~~
 188 ~~and the salary of the Speaker shall be adjusted at the beginning of each~~
 189 ~~term so as to include such additional sum.~~

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

191 The President Pro Tempore of the Senate shall also receive the ~~salary and~~
 192 allowances authorized as a member of the General Assembly.

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

194 The Speaker Pro Tempore of the House of Representatives shall also
 195 receive the ~~salary and~~ allowances authorized as a member of the General
 196 Assembly.

197 (b) As an adjustment except as qualified below as to members and member-officers of the
 198 General Assembly, the annual salary of each state official whose salary is established by
 199 Code Section 45-7-3, this Code section, and Code Sections 45-7-20 and 45-7-21, including
 200 members of the General Assembly, the Speaker of the House of Representatives, the
 201 President Pro Tempore of the Senate, and the Speaker Pro Tempore of the House of
 202 Representatives, may be increased by the General Assembly in the General Appropriations
 203 Act by a percentage not to exceed the average percentage of the increase in salary as may
 204 from time to time be granted to employees of the executive, judicial, and legislative
 205 branches of government. However, any increase for such officials shall not include
 206 within-grade step increases for which employees subject to compensation plans authorized
 207 and approved in accordance with Code Section 45-20-4 are eligible. Any increase granted
 208 pursuant to this subsection shall become effective at the same time that funds are made
 209 available for the increase for such employees, except increases for members and
 210 member-officers of the General Assembly. That portion of the increase determined by the
 211 Legislative Services Committee to reflect a cost-of-living increase based upon objective

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

319

SECTION 3.

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

321

SECTION 4.

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