

## **Ordinance Number 21-03**

### **ORDINANCE TO AMEND SECTION 1-5-47, OF THE CODE OF ORDINANCES OF COLUMBIA COUNTY, GEORGIA**

This Ordinance adopted by the Board of Commissioners of Columbia County, Georgia (the "Board").

**WHEREAS**, state legislation effective January 1, 2021, updates the base salaries for probate judges, sheriffs, superior court clerks, and tax commissioners to account for prior years; state cost-of-living adjustment increases;

**WHEREAS**, Columbia County local law provides compensation for probate judges, sheriffs, superior court clerks, and tax commissioners to be increased, in whole or in part, by either (1) the percentage increase it grants to employees of Columbia County, or (2) that percentage increase granted by state law to reflect cost-of-living adjustments, whichever is higher, but not both;

**WHEREAS**, many years, the percentage increase granted to employees of Columbia County has been equal to or greater than the percentage increase granted by state law to reflect cost-of-living adjustments;

**WHEREAS**, the updated base salaries for probate judges, sheriffs, superior court clerks, and tax commissioners, causes the overall compensation for such constitutional officers in Columbia County to decrease for the year 2021; and

**WHEREAS**, the Board desires to amend Section 1-5-47, entitled "Compensation of judge of probate court," to ensure that the compensation for the judge of the probate court shall not be reduced during his or her time in office unless the judge of probate court ceases to perform the duties for which he or she previously received a supplement under state or local law.

**NOW THEREFORE, BE IT ORDAINED** by the Board and it is hereby ordained by the authority of same as follows:

Section 1. Amendment of Section 1-5-47, Compensation of judge of probate court. Section 1-5-47, Compensation of judge of probate court, is hereby deleted in its entirety and following is inserted in lieu thereof:

- (a) The judge of probate court shall be compensated, including applicable supplements therein, in accordance with state and local law, including, but not limited to, Ga. L. 1993, p. 4582, as amended by Ga. L. 2000, p. 4289, as further amended by 2001 Ga. H.B. 906, and as may be amended hereafter.
- (b) Notwithstanding subsection (a) above, the compensation for an incumbent judge of probate court shall be the greater of either:
  - (i) such amount calculated in accordance with subsection (a) above; or
  - (ii) the immediately preceding year's total compensation, as increased by the greater of either (A) the percentage increase granted to employees of Columbia County to reflect cost-of-living adjustments; or (B) that percentage increase granted by state

law to reflect cost-of-living adjustments, but not both. Provided, however, that should an incumbent judge of probate court cease performing the duties for which he or she previously received a supplement under state and local law, such supplement amount, as may have been increased by any cost-of-living adjustments, shall be subtracted from the immediately preceding year's total compensation. Provided, further, that should an incumbent judge of probate court begin to perform the duties for which he or she shall receive an additional supplement under state or local law, the compensation for performing such duties shall be calculated in accordance with state and local law.

Section 2.     Repeal of conflicting ordinances.     All ordinances or parts of ordinances previously adopted by the Board of Commissioners of Columbia County, Georgia which are in conflict with this ordinance are hereby repealed to the extent necessary to eliminate such conflict.

Section 3.     Effective date.     This ordinance shall become effective upon the date of its adoption.

ADOPTED 11/5, 2021.

**BOARD OF COMMISSIONERS OF  
COLUMBIA COUNTY, GEORGIA**

By: [Signature]  
Its Chairman

Attest: [Signature]  
Its Clerk

[COUNTY SEAL]

