

1 HB478  
2 196759-2  
3 By Representative Farley (N & P)  
4 RFD: Jefferson County Legislation  
5 First Read: 18-APR-19

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ENROLLED, An Act,

Relating to Jefferson County; to amend Section 45-37-82.01, Code of Alabama 1975, relating to the Office of the District Attorney of the Tenth Judicial Circuit, Bessemer Division; to provide for the appointment of two additional assistant district attorneys.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-37-82.01, Code of Alabama 1975, is amended to read as follows:

"§45-37-82.01.

"(a) In the Tenth Judicial Circuit, Bessemer Division, the elected assistant district attorney of the circuit may appoint ~~13~~ 15 deputy district attorneys. The deputy district attorneys appointed pursuant to this section shall be qualified to practice law in the courts of this state, and shall serve at the pleasure of the appointing elected assistant district attorney. The deputy district attorneys shall be state officers and shall perform the duties in the circuit as the elected assistant district attorney may require.

"(b) The elected assistant district attorney may designate one deputy district attorney to serve as chief deputy district attorney, four deputy district attorneys to serve as Level I deputy district attorneys, ~~four~~ five deputy

1 district attorneys to serve as Level II deputy district  
2 attorneys, and ~~four~~ five deputy district attorneys to serve as  
3 Level III deputy district attorneys.

4 "(c) The total annual compensation to be received by  
5 each deputy district attorney shall be computed by the use of  
6 levels and steps. Levels shall refer to the amount of legal  
7 experience which each deputy district attorney had at the time  
8 of appointment to the office. It is intended to entitle an  
9 attorney with applicable legal experience to commence the  
10 office at a higher rate of pay than one who has less  
11 applicable legal experience. Steps shall refer to the amount  
12 of time that the deputy district attorney has served in the  
13 office as deputy district attorney or the length of time that  
14 the officer shall continue. It is intended by this provision  
15 to allow periodic increases in pay as incentive for the  
16 officer to continue to serve in the office; however, the  
17 elected assistant district attorney shall have the authority  
18 to designate the level and step, at the time of appointment,  
19 of any appointed deputy district attorneys authorized by this  
20 section.

21 "(d) The annual compensation to be paid the chief  
22 deputy district attorney, one deputy district attorney  
23 designated as Level I deputy district attorney, one deputy  
24 district attorney designated as Level II deputy district  
25 attorney, and one deputy district attorney designated as Level

1 III deputy district attorney shall be as provided in the  
2 schedule of salaries ~~hereinbelow~~ set out in subsection (g). Of  
3 the total annual compensation to be paid each of the four  
4 deputy district attorneys, each shall be paid an annual salary  
5 by the State of Alabama of twelve thousand nine hundred  
6 dollars (\$12,900), payable from the general funds of the state  
7 in equal installments as the salaries of other state officers  
8 are paid. The remainder of the annual compensation as provided  
9 in the schedule of salaries ~~hereinbelow~~ set out in subsection  
10 (g), of each of the four deputy district attorneys, shall be  
11 paid by the county within the Tenth Judicial Circuit, which  
12 sum shall be paid from the general funds of the county, in  
13 equal semimonthly installments as the salaries of other county  
14 officers are paid.

15 "(e) The annual compensation to be paid to three  
16 deputy district attorneys designated as Level I deputy  
17 district attorneys, ~~three~~ four deputy district attorneys  
18 designated as Level II deputy district attorneys, and ~~three~~  
19 four deputy district attorneys designated as Level III deputy  
20 district attorneys shall be as provided in the schedule of  
21 salaries ~~hereinbelow~~ set out in subsection (g). The  
22 compensation shall be paid by the county within the Tenth  
23 Judicial Circuit, which sum shall be paid from the general  
24 funds of the county, in equal semimonthly installments as the  
25 salaries of other officers are paid.

1           "(f) The deputy district attorneys appointed by the  
 2 elected assistant district attorney to serve in the positions  
 3 identified in subsection (b) shall be compensated at the rate  
 4 consistent with their appointment in accordance with the  
 5 schedule of salaries set out by subsection (g). Thereafter,  
 6 increases in compensation for each deputy district attorney  
 7 may be made annually within the grade scale set out in the  
 8 schedule of salaries in subsection (g), provided the  
 9 performance of the deputy district attorney has been  
 10 satisfactory to the elected assistant district attorney. The  
 11 elected assistant district attorney shall also have the  
 12 authority to assign any of the deputy district attorneys to  
 13 the Level I, Level II, and Level III positions as the elected  
 14 assistant district attorney deems appropriate, within the  
 15 limitations of subsection (b).

16           "(g) The schedule of salaries, referred to below,  
 17 consisting of levels and steps, shall be as follows:

| Attorneys | Chief   | Level I | Level II | Level III |
|-----------|---------|---------|----------|-----------|
| Step 1    | 103,000 | 78,000  | 57,500   | 38,000    |
| Step 2    | 105,000 | 80,000  | 59,000   | 39,500    |
| Step 3    | 107,000 | 82,000  | 60,500   | 41,000    |
| Step 4    | 109,000 | 84,000  | 62,000   | 42,500    |
| Step 5    | 111,000 | 86,000  | 63,500   | 44,000    |

|   |         |         |         |        |        |
|---|---------|---------|---------|--------|--------|
| 1 | Step 6  | 113,000 | 88,000  | 65,000 | 45,500 |
| 2 | Step 7  | 115,000 | 90,000  | 66,500 | 47,000 |
| 3 | Step 8  | 117,000 | 92,000  | 68,000 | 48,500 |
| 4 | Step 9  | 119,000 | 94,000  | 69,500 | 50,000 |
| 5 | Step 10 | 121,000 | 96,000  | 71,000 | 51,500 |
| 6 | Step 11 | 123,000 | 98,000  | 72,500 | 53,000 |
| 7 | Step 12 | 125,000 | 100,000 | 74,000 | 54,500 |

8                   "(h) The compensation provided by this section shall  
9 become effective on October 1, 1997. The county governing body  
10 of the county or counties within the Tenth Judicial Circuit  
11 may increase the compensation payable by the county or  
12 counties within the Tenth Judicial Circuit as provided in the  
13 schedule of salaries at any time by resolution of the  
14 governing body. Upon passage of the resolution, the additional  
15 compensation shall be paid from the general funds of the  
16 county in semimonthly installments as the salaries of other  
17 county officers are paid."

18                   Section 2. This act shall become effective on the  
19 first day of the third month following its passage and  
20 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 15-MAY-19.

Jeff Woodard  
Clerk

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Senate

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23-MAY-19

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Passed