

1 SB265
2 217543-1
3 By Senator Smitherman
4 RFD: Finance and Taxation General Fund
5 First Read: 01-MAR-22

A BILL
TO BE ENTITLED
AN ACT

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

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 ~~15~~ 16 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

1 attorneys shall be state officers and shall perform the duties
2 in the circuit as the elected assistant district attorney may
3 require.

4 "(b) The elected assistant district attorney may
5 designate one deputy district attorney to serve as chief
6 deputy district attorney, four deputy district attorneys to
7 serve as Level I deputy district attorneys, five deputy
8 district attorneys to serve as Level II deputy district
9 attorneys, and ~~five~~ six deputy district attorneys to serve as
10 Level III deputy district attorneys.

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

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

20 "(e) The annual compensation to be paid to three
21 deputy district attorneys designated as Level I deputy
22 district attorneys, four deputy district attorneys designated
23 as Level II deputy district attorneys, and ~~four~~ five deputy
24 district attorneys designated as Level III deputy district
25 attorneys shall be as provided in the schedule of salaries set
26 out in subsection (g). The compensation shall be paid by the
27 county within the Tenth Judicial Circuit, which sum shall be

1 paid from the general funds of the county, in equal
2 semimonthly installments as the salaries of other officers are
3 paid.

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

19 "(g) The schedule of salaries, referred to below,
20 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

1	Step 5	111,000	86,000	63,500	44,000
2	Step 6	113,000	88,000	65,000	45,500
3	Step 7	115,000	90,000	66,500	47,000
4	Step 8	117,000	92,000	68,000	48,500
5	Step 9	119,000	94,000	69,500	50,000
6	Step 10	121,000	96,000	71,000	51,500
7	Step 11	123,000	98,000	72,500	53,000
8	Step 12	125,000	100,000	74,000	54,500

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

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