

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

1 SB265

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4 ENROLLED, An Act,

5 Relating to Jefferson County; to amend Section  
6 45-37-82.01, Code of Alabama 1975, to provide for the  
7 appointment of additional assistant district attorneys in the  
8 Tenth Judicial Circuit, Bessemer Division.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 45-37-82.01, Code of Alabama  
11 1975, is amended to read as follows:

12 "§45-37-82.01.

13 "(a) In the Tenth Judicial Circuit, Bessemer  
14 Division, the elected assistant district attorney of the  
15 circuit may appoint ~~15~~ 16 deputy district attorneys. The  
16 deputy district attorneys appointed pursuant to this section  
17 shall be qualified to practice law in the courts of this  
18 state, and shall serve at the pleasure of the appointing  
19 elected assistant district attorney. The deputy district  
20 attorneys shall be state officers and shall perform the duties  
21 in the circuit as the elected assistant district attorney may  
22 require.

23 "(b) The elected assistant district attorney may  
24 designate one deputy district attorney to serve as chief  
25 deputy district attorney, four deputy district attorneys to

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

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

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

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

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

1 semimonthly installments as the salaries of other officers are  
 2 paid.

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

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

1	Step 4	109,000	84,000	62,000	42,500
2	Step 5	111,000	86,000	63,500	44,000
3	Step 6	113,000	88,000	65,000	45,500
4	Step 7	115,000	90,000	66,500	47,000
5	Step 8	117,000	92,000	68,000	48,500
6	Step 9	119,000	94,000	69,500	50,000
7	Step 10	121,000	96,000	71,000	51,500
8	Step 11	123,000	98,000	72,500	53,000
9	Step 12	125,000	100,000	74,000	54,500

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

20                   (i) On or after the effective date of this act  
 21 adding this amendatory language, subject to approval by the  
 22 Jefferson County Commission, an additional deputy district

1 attorney designated as a Level III deputy district attorney,  
2 shall be appointed and compensated in accordance with this  
3 section."

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

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB265

Senate 31-MAR-22

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Amended and passed 07-APR-22

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Senate concurred in House amendment 07-APR-22

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By: Senator Smitherman