

## **TIME TO SET QUALIFYING FEES FOR 2020 ELECTIONS**

The county governing authority is required to set and publish the qualifying fees for 2020 elections for county offices (i.e., commissioners, sheriffs, tax commissioners, superior court clerks, magistrates, probate judges, state court judges, solicitors general, coroners and surveyors) by February 1, 2020.<sup>1</sup> Commissioners should adopt a resolution setting the qualifying fee for each office. Calculation of qualifying fees is explained below.

### **County Officers and Magistrates**

Qualifying fees to run for the office of superior court clerk, probate judge, sheriff, and tax commissioner (county constitutional officers) and magistrates must be set at 3 percent of the minimum base salary specified in state law for each county based on the county's 2010 population.<sup>2</sup> The revised base schedules in SB 171 (2019) for constitutional officers are not to be used for setting 2020 qualifying fees, because those revised base schedules do not become effective until 2021.

Note that in calculating the qualifying fee for the county officers and magistrates, the minimum base salary is not to be adjusted to reflect supplements, cost-of-living increases, or longevity increases.

### **County Commissioners and Chairs**

Qualifying fees to run for the office of members of the county governing authority (other than sole commissioners) must be set at 3 percent of the base salary established by local legislation unless the commissioners have set a higher salary using the process allowed by general law (see below). The qualifying fee to run for sole commissioner is 3 percent of the salary set by local legislation or by the state minimum salary law for sole commissioners,<sup>3</sup> whichever is applicable.

In those counties where the commissioners or sole commissioner have exercised their general-law power to increase their base salary,<sup>4</sup> the qualifying fee is 3% of that salary. As with the county officers and magistrates, the qualifying fee for commissioners is not adjusted to reflect the training supplement, cost-of-living increases, or longevity increases.

## **All Other Elected County Offices**

The qualifying fee to run for the office of coroner, state court judge, surveyor, or school board member is 3% of the total gross salary of the office paid in 2019, including all supplements authorized by law.<sup>5</sup> If the elected official is not paid a salary, the commissioners must set a fee that is not more than 3 percent of the income that the elected official earned from the office in 2019.

## **State Officials**

Qualifying fees for state officials (*e.g.*, legislators, superior court judges, district attorneys) are set by the Georgia Secretary of State.

For more information, please contact the Elections Division of the Secretary of State's office at (404) 656-2871.

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<sup>1</sup> O.C.G.A. § 21-2-131.

<sup>2</sup> See O.C.G.A. § 15-6-88(a) for superior court clerks; O.C.G.A. § 15-9-63(a)(1) for probate judges; O.C.G.A. § 15-10-23(a) for magistrates; O.C.G.A. § 15-16-20(a)(1) for sheriffs; and O.C.G.A. § 48-5-183(b)(1) for tax commissioners.

<sup>3</sup> O.C.G.A. § 36-5-25.

<sup>4</sup> O.C.G.A. § 36-5-24.

<sup>5</sup> O.C.G.A. § 21-2-131(a)(1)(A).