

SENATE BILL 505

IN THE SENATE

February 13, 1979

Introduced and referred to
Committee on Local Government.

April 20, 1979

Died in Committee.

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INTRODUCED BY *Justin Van Valkenburg* BILL NO. 505

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS RELATING TO COMPENSATION FOR COUNTY SHERIFFS AND DEPUTY SHERIFFS; AMENDING SECTIONS 7-4-2504 AND 7-4-2505, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-4-2504, MCA, is amended to read: "7-4-2504. Salaries to be fixed by resolution. The county commissioners shall by resolution, on or before July 1 of each year, fix the salaries of the county treasurer, county clerk, county assessor, county school superintendent, county sheriff, and county attorney and the clerk of the district court for the following fiscal year in conformity with the appropriate statutory salary schedule pertaining to each office. ~~The county commissioners of first- and second-class counties may increase the county sheriff's salary above the scheduled salaries provided in 7-4-2503.~~ The salary schedule used for each office shall be the statutory schedule in effect on the first day of the following fiscal year."

Section 2. Section 7-4-2505, MCA, is amended to read: "7-4-2505. Amount of compensation for deputies and assistants. (1) Except as provided in subsection (2), the

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boards of county commissioners in the several counties in the state shall have the power to fix the compensation allowed any deputy or assistant of the following officers:

- (a) sheriff;
- (b) clerk and recorder;
- (c) clerk of the district court;
- (d) treasurer;
- (e) assessor;
- (f) county attorney;
- (g) auditor.

(2) (a) Except as provided in subsection (2)(b), the salary of no deputy or assistant shall be more than 90% of the salary of the officer under whom such deputy or assistant is serving.

(b) In fixing the compensation allowed the undersheriff, the board must fix the same at 95% of the salary of the officers under whom such undersheriff is serving. ~~in fixing the compensation allowed the deputy sheriffs, the board must fix the same at 90% of the salary of the officer under whom such deputy sheriff is serving.~~ except in counties of the first, second, or third class, in which the board must fix the same at not less than 75% or more than 90% of the salary of the officer under whom such deputy sheriff is serving. In fixing the compensation for deputy sheriffs, the board:

1 ~~(i) may not reduce any deputy sheriff's salary from~~
2 ~~the salary received on [the effective date of this act]; and~~

3 ~~(ii) may pay, over and above the 90% limit provided in~~
4 ~~subsection (2)(a), the deputy sheriff additional longevity~~
5 ~~pay of \$7.50 a month for each complete year of uninterrupted~~
6 ~~service as a deputy sheriff.~~

7 ~~(c) Notwithstanding the provision of subsection~~
8 ~~(2)(a), deputy sheriffs in first- and second-class counties~~
9 ~~are entitled to compensation for each excess hour over 40~~
10 ~~hours a week at a rate equal to 1 1/2 times his regular~~
11 ~~hourly rate.~~

12 ~~(d) Where any deputy or assistant is employed for a~~
13 ~~period of less than 1 year, the compensation of such deputy~~
14 ~~or assistant shall be for the time so employed, provided the~~
15 ~~rate of such compensation shall not be in excess of the~~
16 ~~rates now provided by law for similar deputies and~~
17 ~~assistants except as provided herein.~~

18 ~~(e) Deputy assessors' salaries shall be the same as~~
19 ~~paid the deputy clerk and recorder."~~

-End-