

Senate Bill 510

By: Senator Mullis of the 53rd

**AS PASSED SENATE****A BILL TO BE ENTITLED****AN ACT**

1 To amend Code Section 49-3-2 of the Official Code of Georgia Annotated, relating to  
 2 appointment of members of county boards of family and children services, so as to provide  
 3 for the suspension of board members upon indictment and for the removal of board members  
 4 upon initial conviction of crimes involving moral turpitude; to provide for appointment of  
 5 temporary and replacement members; to provide for reinstatement of members; to prohibit  
 6 payment of per diem or expenses for suspended members; to provide for vacancies and the  
 7 filling thereof; to provide for related matters; to provide an effective date; to repeal  
 8 conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

10 Code Section 49-3-2 of the Official Code of Georgia Annotated, relating to appointment of  
 11 county board members, is amended by adding a new subsection (g) to read as follows:

13 "(g)(1) Upon indictment of member of a county board of family and children services for  
 14 any crime involving moral turpitude by a grand jury of this state or of the United States,  
 15 the governing authority of the county that appointed the member may, by resolution  
 16 entered on the minutes of the governing authority, suspend the member from his or her  
 17 membership on the board immediately and without further action pending the final  
 18 disposition of the case or until the expiration of his or her appointed term of office,  
 19 whichever occurs first. During the term of the office to which such member was  
 20 appointed and in which the indictment occurred, if a nolle prosequi is entered, if the  
 21 member is acquitted, or if, after conviction, the conviction is later overturned as a result  
 22 of any direct appeal or application for a writ of certiorari, the member shall be  
 23 immediately reinstated to the office from which he or she was suspended.

24 (2) No suspended member of a board shall receive any per diem or reimbursement of  
 25 expenses incurred during any period of suspension.

1 (3) For the duration of any suspension of any member of a board under this subsection,  
2 a replacement member for the member suspended shall be appointed in the same manner  
3 as provided for the appointment of the member affected. Upon final conviction and after  
4 exhaustion of all appeals, if any, the office of the member of the board shall be vacated  
5 immediately without further action. Said vacancy shall be filled by the replacement  
6 member appointed pursuant to this subsection for the balance of the appointed term of the  
7 convicted member."

8 **SECTION 2.**

9 This Act shall become effective upon its approval by the Governor or upon its becoming law  
10 without such approval.

11 **SECTION 3.**

12 All laws and parts of laws in conflict with this Act are repealed.