

House Bill 243

By: Representatives Noel of the 44<sup>th</sup>, Bruce of the 45<sup>th</sup>, Marin of the 66<sup>th</sup>, Hill of the 81<sup>st</sup>,  
Stephenson of the 60<sup>th</sup>, Post 1, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to  
2 commissions and other agencies, so as to create the Georgia Martin Luther King, Jr.  
3 Commission; to provide for the appointment and terms of members; to provide for officers;  
4 to provide for the powers and duties of the commission; to provide for the solicitation of  
5 contributions; to provide for reimbursement of expenses; to provide for an annual report; to  
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to commissions  
10 and other agencies, is amended by inserting at the end thereof the following:

11 "ARTICLE 9

12 50-12-150.

13 (a) There is created the Georgia Martin Luther King, Jr. Commission. The commission  
14 shall be composed of 15 members to be appointed as follows:

15 (1) Five members shall be appointed by the Governor;

16 (2) Five members shall be appointed by the Senate Committee on Assignments; and

17 (3) Five members shall be appointed by the Speaker of the House of Representatives.

18 (b) The members of the commission shall be women and men of recognized ability and  
19 achievement and shall represent a diversity of backgrounds. All vacancies shall be filled  
20 for the unexpired term by the original appointing official. Except as otherwise provided in  
21 subsection (c) of this Code section, members shall serve for terms of four years and shall  
22 be eligible for successive appointments by an appointing official. Any member with four  
23 consecutive unexcused absences from regular monthly meetings may be removed from the  
24 commission by the appointing official. Each person appointed to the commission shall be

1 a full-time resident of Georgia. Any member who ceases to be a full-time resident of this  
2 state during the term of his or her membership shall be removed from the commission and  
3 such vacancy shall be filled by the Governor.

4 (c) To effect staggered terms of office for members of the commission and effective with  
5 members appointed for terms beginning in 2003, the Governor, the Senate Committee on  
6 Assignments, and the Speaker of the House of Representatives shall each appoint: two  
7 members for two-year terms of office; two members for three-year terms of office; and one  
8 member for a one-year term of office. Thereafter, all members shall be appointed to serve  
9 four-year terms of office.

10 50-12-151.

11 The commission shall elect a chairperson, vice chairperson, and a secretary from among  
12 its members for terms of two years, and any member shall be eligible for successive  
13 election to such office by the commission. A quorum for transacting business shall be a  
14 majority of the members of the commission.

15 50-12-152.

16 (a) The commission shall have the following powers and duties:

17 (1) To provide advice and guidance to state and local governments and to private  
18 organizations that desire to hold ceremonies and other appropriate activities relating to  
19 the observance of the state and federal holiday honoring Dr. Martin Luther King, Jr., and  
20 to coordinate those activities with those of the Dr. Martin Luther King, Jr. Federal  
21 Holiday Commission, the Southern Christian Leadership Conference which Dr. Martin  
22 Luther King, Jr. founded, and the Martin Luther King Center for Nonviolent Social  
23 Change;

24 (2) To promote racial harmony, understanding, community service, and respect and good  
25 will among all citizens;

26 (3) To promote the principals of nonviolence;

27 (4) To promote awareness and appreciation of the civil rights movement and advocacy  
28 of the principles and legacy of Dr. Martin Luther King, Jr.; and

29 (5) To develop, coordinate, and advise the Governor and the General Assembly of  
30 ceremonies and activities throughout the state relating to the observance of the Dr. Martin  
31 Luther King Jr. holiday.

32 (b) The commission shall be authorized to enter into all contracts or agreements necessary  
33 or incidental to the performance of its duties.

34 (c) All executive departments, agencies, boards, commissions, and authorities shall  
35 cooperate with the commission in the performance of its duties.

1 50-12-153.

2 The commission is authorized to solicit and accept donations, contributions, grants,  
3 bequests, gifts of money and property, facilities, or services, with or without consideration,  
4 from any person, firm, or corporation or from any state, county, municipal corporation, or  
5 local government or governing body to enable it to carry out its functions and purpose.

6 50-12-154.

7 The members of the commission shall be reimbursed for expenses incurred while  
8 conducting the business of the commission from public or private grants, devises, or  
9 bequests received by the commission.

10 50-12-155.

11 The commission shall publish an annual report summarizing the activities, findings, and  
12 recommendations of the commission. The report shall be submitted to the Governor, the  
13 President of the Senate, the Speaker of the House of Representatives, and all members of  
14 the Senate and the House of Representatives not later than November 1 of each year."

15 **SECTION 2.**

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