

House Bill 1405

By: Representatives Lindsey of the 54th, Willard of the 49th, Kaiser of the 59th, Holmes of the 61st, Stanley-Turner of the 53rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Fulton County, approved
2 December 3, 1880 (Ga. L. 1880-81, p. 508), as amended, particularly by an Act approved
3 March 29, 1973 (Ga. L. 1973, p. 2462), and by an Act approved April 12, 1982 (Ga. L. 1982,
4 p. 4148), so as to provide for powers and duties of the chairperson; to provide for the
5 submission of this Act to the United States Department of Justice; to provide an effective
6 date; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the Board of Commissioners of Fulton County, approved December 3, 1880
10 (Ga. L. 1880-81, p. 508), as amended, particularly by an Act approved March 29, 1973 (Ga.
11 L. 1973, p. 2462), and by an Act approved April 12, 1982 (Ga. L. 1982, p. 4148), is amended
12 by revising subsection (b) of Section 3 as follows:

13 "(b) The position of chairperson of the board of commissioners shall be a full-time
14 position. The chairperson shall have the same powers and duties as a member of the board
15 of commissioners and in addition shall have the following powers and duties:

16 (1) To preside over the meetings of the board of commissioners and to set the agenda;
17 provided, however, that the remaining commissioners may amend the agenda by majority
18 vote;

19 (2) To serve as the official spokesperson for the board of commissioners;

20 (3) To sign all official papers and other instruments and documents on behalf of the
21 board of commissioners as directed or authorized by ordinance, resolution, or policy of
22 the board of commissioners;

23 (4) To appoint and remove the county manager and department heads, subject to
24 confirmation by a majority vote of the members of the board of commissioners;

25 (5) To make appointments of members of the board of commissioners to committees
26 thereof and to make appointments to other committees, boards, or public authorities as

1 authorized by law or by ordinance, resolution, or policy of the board of commissioners;
2 and
3 (6) To perform such other duties as may be provided by ordinance or resolution of the
4 board of commissioners."

5 **SECTION 2.**

6 The governing authority of Fulton County shall through its legal counsel cause this Act to
7 be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and
8 such submission shall be made to the United States Department of Justice or filed with the
9 appropriate court no later than 45 days after the date on which this Act is approved by the
10 Governor or otherwise becomes law without such approval.

11 **SECTION 3.**

12 This Act shall become effective on January 1, 2011.

13 **SECTION 4.**

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