

House Bill 1471 (AS PASSED HOUSE AND SENATE)

By: Representatives Knight of the 126th, Maddox of the 127th, and Cole of the 125th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Joint Board of Elections and Registration of Lamar County,
2 approved May 14, 2007 (Ga. L. 2007, p. 3520), so as to revise the composition of the board;
3 to provide for the continuation in office of persons serving as members of the board on a
4 certain date; to eliminate term limits; to revise certain provisions relating to municipal
5 primaries and elections; to provide for a four-year term for the supervisor of elections; to
6 provide provisions for purposes of conformity; to provide for related matters; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the Joint Board of Elections and Registration of Lamar County, approved
11 May 14, 2007 (Ga. L. 2007, p. 3520), is amended by revising the last sentence of Section 1
12 to read as follows:

13 "Except as otherwise provided in this Act, the board shall have the powers, duties, and
14 responsibilities of the judge of the probate court of Lamar County, the municipal election
15 superintendents of the City of Barnesville and the City of Milner, and the board of
16 registrars of Lamar County, all as provided for under Chapter 2 of Title 21 of the O.C.G.A.,
17 the "Georgia Election Code."

18 **SECTION 2.**

19 Said Act is further amended by revising Section 3 to read as follows:

20 "SECTION 3.

21 (a) The board shall be composed of five members who shall be appointed as follows:

22 (1) One member of the board shall be appointed by the governing authority of Lamar
23 County. Said member shall not be an officer or member of the executive committee of

1 any political party at the time of such member's selection or at any time during such
2 member's term of office as a member of the board;

3 (2) One member of the board shall be appointed by the governing authority of the City
4 of Barnesville. Said member shall not be an officer or member of the executive
5 committee of any political party at the time of such member's selection or at any time
6 during such member's term of office as a member of the board;

7 (3) One member of the board shall be appointed by the governing authority of the City
8 of Milner. Said member shall not be an officer or member of the executive committee
9 of any political party at the time of such member's selection or at any time during such
10 member's term of office as a member of the board; and

11 (4) One member of the board shall be appointed by the political party which received the
12 highest number of votes within the county for its candidate for Governor in the general
13 election immediately preceding the appointment of such member, and one member of the
14 board shall be appointed by the political party which received the second highest number
15 of votes within the county for its candidate for Governor in the general election
16 immediately preceding the appointment of such member. Each of the respective
17 members appointed by political parties shall be nominated by the party chairperson and
18 ratified by the county executive committee of the respective political party at least 30
19 days before the beginning of the term of office or within 30 days after the creation of a
20 vacancy in the office. In the event that a political party entitled to appoint a member of
21 the board does not have a county executive committee, such appointment shall be made
22 by the state executive committee of such political party.

23 (b) All appointments to the board shall be promptly certified by the appointing authority
24 to the clerk of the Superior Court of Lamar County.

25 (c) The members of the board serving in office on June 30, 2008, and any person selected
26 to fill a vacancy in any such office shall continue to serve until the expiration of the terms
27 for which they were appointed and until their successors are appointed and qualified.

28 (d)(1) Monica Walters, the member of the board appointed to a term beginning on
29 January 1, 2008, shall be designated as serving from and representing Lamar County as
30 newly described under subsection (a)(1) of Section 3 of this Act and shall serve a term
31 of office ending on December 31, 2011.

32 (2) Georgia Fletcher, the member of the board appointed to a term beginning on January
33 1, 2008, shall be designated as serving from and representing the City of Barnesville as
34 newly described under subsection (a)(2) of Section 3 of this Act and shall serve a term
35 of office ending on December 31, 2010.

36 (3) Richard Smith, the member of the board appointed to a term beginning on January
37 1, 2008, shall be designated as serving from and representing the City of Milner as newly

1 described under subsection (a)(3) of Section 3 of this Act and shall serve a term of office
2 ending on December 31, 2010.

3 (4) Charles Glass and Gerald Thompson, the members of the board appointed to a term
4 beginning on January 1, 2008, shall be designated as serving from and representing the
5 two political parties as newly described under subsection (a)(4) of Section 3 of this Act
6 and shall each serve a term of office ending on December 31, 2009.

7 (e) Successors to each member shall thereafter be appointed by the appropriate appointing
8 authority to serve a term of office of four years and until his or her successor is duly
9 appointed and qualified."

10 **SECTION 3.**

11 Said Act is further amended by revising subsection (b) of Section 4 to read as follows:

12 "(b) Members of the board shall be residents of Lamar County or their respective city, as
13 appropriate, and shall have been registered voters in Lamar County for a period of at least
14 one year prior to the date of their appointment to the board."

15 **SECTION 4.**

16 Said Act is further amended by revising Section 6 to read as follows:

17 "SECTION 6.

18 Each member of the board shall have the right to resign at any time by giving written notice
19 of such resignation to the governing authority of Lamar County, the City of Barnesville,
20 or the City of Milner, as appropriate, and to the clerk of the superior court and shall be
21 subject to removal from the board by the chief judge of the Superior Court of Lamar
22 County at any time, for cause, after notice and hearing."

23 **SECTION 5.**

24 Said Act is further amended in Section 9 by revising subsection (c) and adding a new
25 subsection to read as follows:

26 "(c) At the request of the City of Barnesville or the City of Milner, as appropriate, the
27 board shall conduct the holding of any municipal primary or election within the City of
28 Barnesville or the City of Milner. Each city shall designate polling places and handle the
29 qualifying of candidates for their respective municipal primaries and elections, unless the
30 board is otherwise requested to handle such duties.

31 (d) The City of Barnesville and the City of Milner shall each contribute an annual lump
32 sum amount, as determined by the board, for the board's duties with respect to each city,

1 and no other cost shall be paid to the board by the cities to conduct any municipal primary
2 or election."

3 **SECTION 6.**

4 Said Act is further amended by revising subsection (a) of Section 11 to read as follows:

5 "(a) The Lamar County Board of Commissioners shall appoint a person to serve as the
6 initial supervisor of elections of Lamar County to serve for a term of four years. Upon
7 expiration of the supervisor's four-year term, the board may reappoint the initial supervisor
8 or appoint a new supervisor for a term of four years and shall reappoint or appoint a
9 supervisor every four years thereafter. Such position shall be full time, and such person
10 shall be paid a salary to be set by the board. The supervisor of elections shall generally
11 direct and control the administration of elections and voter registration in Lamar County
12 and, except as otherwise provided for in this Act, the holding of any municipal primary or
13 election to be conducted within the City of Barnesville and the City of Milner and shall
14 generally supervise, direct, and control the administration of the affairs of the board
15 pursuant to law and duly adopted resolutions of the board. The supervisor of elections
16 shall be supervised by the board and shall be subject to removal from office by the board,
17 with or without cause. The supervisor of elections shall not be a member of the board nor
18 an elected official. The election supervisor shall be considered an employee of Lamar
19 County and shall be entitled to the same benefits as other employees of Lamar County."

20 **SECTION 7.**

21 Said Act is further amended by revising Section 12 to read as follows:

22 "SECTION 12.

23 Compensation for the members of the board, election supervisor, clerical assistants, and
24 other employees shall be fixed by the governing authority of Lamar County. Such
25 compensation shall be paid from county funds and from the annual lump sum of municipal
26 funds of the City of Barnesville and the City of Milner as provided for in Section 9 of this
27 Act."

28 **SECTION 8.**

29 Said Act is further amended by revising the last sentence of Section 14 to read as follows:

30 "Upon this Act becoming fully effective, the superintendent of elections of Lamar County,
31 the board of registrars of Lamar County, and, except as otherwise provided for in this Act,
32 the municipal election superintendents of the City of Barnesville and the City of Milner
33 shall be relieved of all powers and duties to which the board succeeds by the provisions of

1 this Act and shall deliver to the board all equipment, supplies, materials, books, papers,
2 records, and facilities pertaining to such powers and duties."

3 **SECTION 9.**

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