

House Bill 580

By: Representatives England of the 108<sup>th</sup> and Benton of the 31<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To create the Barrow County Governing Authority Study Commission; to provide for its  
2 membership, officers, purpose, meetings, hearings, functions, powers, and duties; to provide  
3 for a report; to provide for automatic repeal and abolishment of the study commission; to  
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 (a) There is created the Barrow County Governing Authority Study Commission. Such  
8 study commission shall be composed of 13 members as follows:

9 (1) Each of the three members of the Barrow County delegation to the Georgia General  
10 Assembly shall appoint two members, for a total of six members;

11 (2) Each of the six members of the Barrow County Board of Commissioners elected  
12 from districts shall appoint one member, for a total of six members, none of whom shall  
13 be a member of the board of commissioners or other elected official; and

14 (3) The chairperson of the Barrow County Board of Commissioners shall appoint one  
15 member, who shall not be a member of the board of commissioners or other elected  
16 official.

17 Members of the study commission shall be appointed not less than ten days after the  
18 effective date of this Act. Any vacancy in the study commission due to death, disability,  
19 or resignation shall be filled in the same manner as the original appointment.

20 (b) The study commission shall elect a chairperson, vice chairperson, and secretary from  
21 among its members. The chairperson shall preside at all meetings of the study commission.  
22 The vice chairperson shall serve as chairperson during the absence of the latter.

23 (c) The first meeting of the study commission shall be held not later than 15 days after the  
24 date this Act becomes effective, at which time the study commission shall organize itself  
25 by electing officers and shall establish a schedule for the time, place, and dates of its

26 regular meetings and the times, places, and dates of the public hearings required by  
27 subsection (h) of this section.

28 (d) The Barrow County Board of Commissioners shall provide a suitable and convenient  
29 public forum for the study commission to conduct its meetings.

30 (e) A majority of the members of the study commission shall constitute a quorum for the  
31 transaction of business; provided, however, that a quorum need not be present to conduct  
32 any public hearing required by subsection (h) of this section at which no other business is  
33 transacted by the study commission. The study commission shall comply with the  
34 provisions of general law applicable to agencies for purposes of open meetings as provided  
35 in Chapter 14 of Title 50 of the O.C.G.A. and inspection of public records as provided in  
36 Article 4 of Chapter 18 of Title 50 of the O.C.G.A.

37 (f) The purpose and duty of the study commission shall be to study the current form,  
38 composition, administration, functions, powers, and duties of the governing authority of  
39 Barrow County, as currently provided by an Act to recreate and establish a Board of  
40 Commissioners of Barrow County, approved April 2, 1976 (Ga. L. 1976, p. 4033), as  
41 amended. Such study by the study commission shall be conducted with a view toward  
42 recommending to the Barrow County delegation to the General Assembly such local  
43 legislation, if any, as the study commission may deem appropriate for amendment of, or  
44 repeal and replacement of, such current local Act, as amended, so as to revise, modernize,  
45 or reform the governing authority of Barrow County to suit current needs and conditions,  
46 all in the public interest of providing more effective and efficient government for Barrow  
47 County; provided, however, that the study commission shall neither study nor make any  
48 recommendation with respect to redistricting of the board of commissioners provided by  
49 the current local Act.

50 (g) The Barrow County Board of Commissioners and its officers and employees shall  
51 cooperate fully with the study commission in the performance of the study commission's  
52 official duties.

53 (h) As a part of such study, the study commission shall call and conduct public hearings  
54 regarding such issues, with at least one hearing held in each of the six municipalities in  
55 Barrow County, namely the cities of Auburn, Bethlehem, Braselton, Carl, Statham, and  
56 Winder. The governing authorities of such cities and the Barrow County Board of  
57 Commissioners shall provide suitable and convenient public forums for the study  
58 commission to conduct its public hearings.

59 (i) The Barrow County delegation to the General Assembly may appoint a representative  
60 or agent of the Northeast Georgia Regional Commission to assist the study commission as  
61 an impartial moderator and may also appoint a representative or agent of the Association  
62 County Commissioners Georgia to provide additional assistance and resources. The study

63 commission shall call upon any such person so appointed as a resource to aid the study  
64 commission in the performance of its duties under this Act. The chairperson of the study  
65 commission may delegate responsibility for moderating public hearings to any moderator  
66 appointed pursuant to this subsection.

67 (j) Neither the members of the study commission nor any moderator or assistant thereto  
68 shall receive any compensation for their services on or to the study commission.

69 (k) The study commission shall submit a written report of its findings and  
70 recommendations, including suggestions for local legislation, if any, to the members of the  
71 Barrow County delegation to the General Assembly not later than 75 days after the date  
72 this Act becomes effective.

73 **SECTION 2.**

74 This Act shall stand repealed, and the Barrow County Governing Authority Study  
75 Commission created by this Act shall stand abolished, 90 days after the date this Act  
76 becomes effective.

77 **SECTION 3.**

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

80 **SECTION 4.**

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