

Senate Bill 462

By: Senators Jeffares of the 17th and Ramsey, Sr. of the 43rd

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act creating the Board of Elections and Registration of Rockdale County,
2 approved March 29, 1995 (Ga. L. 1995, p. 3929), so as to revise procedures relating to
3 appointment of the at-large member; to provide for related matters; to provide for submission
4 for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to
5 repeal conflicting laws; and for other purposes.

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

7 **SECTION 1.**

8 An Act creating the Board of Elections and Registration of Rockdale County, approved
9 March 29, 1995 (Ga. L. 1995, p. 3929), is amended by revising Section 3 to read as follows:

10 **"SECTION 3.**

11 Each subsequent board shall be composed of three members, each of whom shall be an
12 elector and a resident of the county and who shall be selected in the following manner:

13 (1) One member shall be appointed by the chairperson of the county executive
14 committee of the political party whose candidates at the last preceding regular general
15 election held for the election of all members of the General Assembly received the largest
16 number of votes in this state for members of the General Assembly; and one member
17 shall be appointed by the chairperson of the county executive committee of the political
18 party whose candidates received the next largest number of votes at such election;
19 provided, however, each of the appointments shall have been ratified by a majority of the
20 members of each of the respective executive committees voting at a regularly scheduled
21 meeting of the executive committee or a meeting duly called and held for such purposes.

22 In the event the appointments are not ratified by a majority of the members of the
23 executive committees at least 45 days preceding the date on which such members are to
24 take office, then the members of the respective executive committees may elect a member
25 by a two-thirds' majority of the membership of the executive committees at a regularly
26 scheduled meeting or at a meeting duly called and held for such purposes. In the event

27 the members of such executive committees fail to elect such members at least 30 days
 28 preceding the date on which such members are to take office, then such members shall
 29 be appointed forthwith by the county governing authority.

30 (2) The two members appointed pursuant to paragraph (1) of this section shall within 30
 31 days, after both such members take office, appoint a third member. The third member
 32 so selected shall be deemed to be a member at large. Any appointment made under the
 33 provisions of this paragraph shall also be entered upon the minutes of the governing
 34 authority. In the event the two members appointed pursuant to paragraph (1) of this
 35 section fail to appoint such at-large member at least 30 days preceding the date on which
 36 such member is to take office, then such member shall be appointed by the chief judge
 37 of the Superior Court of Rockdale County; provided, however, that within two days of
 38 the expired period to appoint the at-large member, the two partisan board members may
 39 each submit to the chief judge of the Superior Court of Rockdale County a summary of
 40 qualifications of his or her preferred choice to fill the position."

41 **SECTION 2.**

42 Said Act is further amended by revising Section 5 to read as follows:

43 "SECTION 5.

44 Each appointed member of the board shall:

- 45 (1) Serve for a term of two years and until his or her successor is appointed and
 46 qualified, except in the event of resignation or removal as provided in this Act;
 47 (2) Be eligible to succeed himself or herself and shall have the right to resign at any time
 48 by giving written notice of resignation to the respective appointing or electing authority
 49 and to the clerk of the superior court; and
 50 (3) Be subject to removal from the board at any time, for cause after notice and hearing,
 51 in the same manner and by the same authority as is provided for the removal of
 52 registrars."

53 **SECTION 3.**

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

55 "SECTION 6.

56 In the event a vacancy occurs in the office of any member before the expiration of such
 57 member's term by removal, death, resignation, or otherwise, the respective appointing or
 58 electing authority shall appoint or elect a successor to serve for the remainder of the
 59 unexpired term. The clerk of the superior court shall be notified of interim appointments
 60 or elections and record and certify such appointments or elections in the same manner as
 61 the regular appointment or election of members."

62 **SECTION 4.**

63 Said Act is further amended by revising Section 7 to read as follows:

64 "SECTION 7.

65 In the event any appointing or electing authority fails to make an interim appointment to
66 fill a vacancy within 60 days after the creation of such vacancy, the county governing
67 authority shall appoint a member to fill such vacancy; provided, however, that the chief
68 judge of the Superior Court of Rockdale County shall appoint a member to fill a vacancy
69 in the at-large position. Within two days of the expired period to appoint a member to fill
70 a vacancy in the at-large position, the two partisan board members may each submit to the
71 judge a summary of qualifications of his or her preferred choice to fill such at-large
72 position."

73 **SECTION 5.**

74 Said Act is further amended by revising subsection (b) of Section 9 to read as follows:

75 "(b) Subsequent boards shall be composed of members who shall be appointed for terms
76 of office of two years and until their successors are appointed and qualified in accordance
77 with the provisions of Section 3 of this Act. The members of each subsequent board shall
78 take office on the first day of July following their appointment."

79 **SECTION 6.**

80 Said Act is further amended by revising subsection (a) of Section 15 to read as follows:

81 "(a) The board shall fix and establish, by appropriate resolution entered on its minutes,
82 directives governing the execution of matters within its jurisdiction. The board shall hold
83 regular monthly meetings at a place in Rockdale County as designated by the board. Any
84 specially called meeting held pursuant to the bylaws adopted by the board shall be held
85 only after written notification of the time and place of the holding of such meeting has been
86 communicated in writing to the person designated by the county governing authority to
87 provide public information."

88 **SECTION 7.**

89 The governing authority of Rockdale County shall through its legal counsel cause this Act
90 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,
91 as amended, no later than 45 days after the date on which this Act is approved by the
92 Governor or otherwise becomes law without such approval.

93

SECTION 8.

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