

House Bill 1245 (AS PASSED HOUSE AND SENATE)

By: Representatives Powell of the 29th and Harden of the 28th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to create a board of elections and registration for Franklin County and to
2 provide for its powers and duties, approved May 1, 2008 (Ga. L. 2008, p. 3632), so as to
3 stagger the terms of the members of the board; to provide for submission of this Act for
4 preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to create a board of elections and registration for Franklin County and to provide for
9 its powers and duties, approved May 1, 2008 (Ga. L. 2008, p. 3632), is amended by revising
10 Section 3 as follows:

11 "SECTION 3.

12 (a) The board shall be composed of five members, each of whom shall be an elector and
13 a resident of the county and who shall be appointed as provided in this section.

14 (b) Two members of the board shall be appointed by the political party that received the
15 highest number of votes within the county for its candidate for Governor in the general
16 election immediately preceding the appointment of such members. Two members of the
17 board shall be appointed by the political party that received the second highest number of
18 votes within the county for its candidate for Governor in the general election immediately
19 preceding the appointment of such members. Each of the members appointed by such
20 political parties shall be nominated by the chairperson and ratified by the county executive
21 committee of the respective political party at least 30 days before the beginning of the term
22 of office or within 30 days after the creation of a vacancy in such office. In the event that
23 a political party entitled to appoint a member of the board does not have a county executive
24 committee, such appointment shall be made by the state executive committee of such
25 political party. One member shall be appointed by the most senior judge of the Northern
26 Judicial Circuit whose primary office is located in Franklin County or, if there is no such

27 judge, then the chief judge of the Northern Judicial Circuit. The judge appointing the fifth
28 member of the board shall also appoint one of the members of the board to serve as
29 chairperson.

30 (c) The members of the board in office on the effective date of this section shall serve out
31 the terms to which they were appointed and until the appointment and qualification of their
32 respective successors. In making appointment of successors to the members of the board
33 in 2012 for the members whose terms end on December 31, 2012, each political party
34 making appointments under this section shall designate one of its appointees to serve a
35 term of two years beginning January 1, 2013, and ending December 31, 2014, and until his
36 or her successor is duly appointed and qualified and one of its appointees to serve a term
37 of four years beginning January 1, 2013, and ending December 31, 2016, and until his or
38 her successor is duly appointed and qualified. The person appointed to succeed the
39 member appointed by the most senior judge of the Northern Judicial Circuit whose primary
40 office is located in Franklin County or, if there is no such judge, then the chief judge of the
41 Northern Judicial Circuit shall be appointed for a term of four years beginning
42 January 1, 2013, and ending December 31, 2016, and until his or her successor is duly
43 appointed and qualified.

44 (d) Successors to such members shall be appointed as provided in this section at least 30
45 days prior to the expiration of the term of office of their predecessor, shall take office on
46 January 1 immediately following the expiration of the term of office of their predecessor,
47 and serve for terms of office of four years and until their respective successors are duly
48 appointed and qualified.

49 (e) Each political party making an appointment under this section shall certify the name
50 and residential address of each such appointee to the most senior judge of the Northern
51 Judicial Circuit whose primary office is located in Franklin County or, if there is no such
52 judge, then the chief judge of the Northern Judicial Circuit immediately upon making such
53 appointment."

54 **SECTION 2.**

55 It shall be the duty of the Board of Commissioners of Franklin County through its legal
56 counsel to submit this Act for preclearance pursuant to Section 5 of the federal Voting Rights
57 Act of 1965, as amended, no later than 45 days after the date on which this Act is approved
58 by the Governor or otherwise becomes law without such approval.

59 **SECTION 3.**

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