

House Bill 503

By: Representative Greene of the 151st

A BILL TO BE ENTITLED
AN ACT

1 To create a board of elections and registration for Randolph County and to provide for its
2 powers and duties; to provide a method for the selection, resignation, and removal of its
3 members and for filling vacancies; to provide for the qualification, terms, and oath of its
4 members; to provide for rules and operation of the joint board; to provide for employees of
5 the joint board; to provide for compensation; to provide for expenditures of funds and
6 reimbursement; to provide for definitions; to repeal an Act to create a board of elections and
7 registration for Randolph County; to provide for related matters; to provide for effective
8 dates, abolishment of the previous board, and the transfer of certain of its property; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Pursuant to the authority of Code Section 21-2-45 of the Official Code of Georgia Annotated,
13 there is created and established in and for Randolph County and the cities of Cuthbert and
14 Shellman a joint county-municipal board of elections and registration for Randolph County
15 and the cities of Cuthbert and Shellman, hereinafter referred to as "the joint board." The joint
16 board shall have all the powers and duties of the former Randolph County Board of Elections
17 and Registration relating to the conduct of primaries and elections and to the registration of
18 voters and absentee balloting procedures.

19 **SECTION 2.**

20 The joint board shall be composed of three members, each of whom shall be an elector and
21 resident of Randolph County and who shall be selected in the following manner:

22 (1) One member shall be appointed by the governing authority of Randolph County, one
23 member shall be appointed by the governing authority of the City of Cuthbert, and one
24 member shall be appointed by the governing authority of the City of Shellman. The

25 members appointed by the governing authorities of the City of Cuthbert and the City of
26 Shellman shall be residents of those cities.

27 (2) The initial appointee of Randolph County shall serve for a term beginning
28 July 1, 2017, and expiring on June 30, 2021. Thereafter, the appointees of Randolph
29 County shall serve for terms of four years beginning on the first day of July immediately
30 following the expiration of the appointee's term of office and until a successor is
31 appointed and qualified. The initial appointees of the City of Cuthbert and the City of
32 Shellman shall serve for a term beginning July 1, 2017, and expiring on June 30, 2019.
33 Thereafter, the appointees of the City of Cuthbert and the City of Shellman shall serve
34 for terms of four years beginning on the first day of July immediately following the
35 expiration of the appointee's term of office and until a successor is appointed and
36 qualified.

37 **SECTION 3.**

38 No person who holds elective public office shall be eligible to serve as a member of the joint
39 board during the term of such elective office, and the position of any such member shall be
40 deemed vacant upon such member's qualifying as a candidate for elective public office.
41 Further, no immediate family member of an elected public official shall be eligible to serve
42 as a member during the elected official's term of office. For the purposes of this section, the
43 term "immediate family" has the meaning provided by Code Section 20-2-58.1 of the Official
44 Code of Georgia Annotated.

45 **SECTION 4.**

46 In the event a vacancy occurs in the office of any member other than the supervisor of
47 elections and registration before the expiration of that member's term of office, whether by
48 removal, death, resignation, or otherwise, the respective appointing or electing authority shall
49 appoint or elect a successor to serve the remainder of the unexpired term and until a
50 successor is regularly appointed or elected.

51 **SECTION 5.**

52 Before entering upon a member's duties, each member shall take substantially the same oath
53 as required by general law for members of a board of elections and registration and shall
54 have the same privileges from arrest.

55 **SECTION 6.**

56 Each member of the joint board shall be eligible to succeed himself or herself without
57 limitation and shall have the right to resign at any time by giving written notice of resignation

58 to the clerk of the Superior Court of Randolph County. Each member shall be subject to
59 removal from the joint board in the same manner and by the same authority as provided for
60 removal of county registrars.

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SECTION 7.

62 (a) The joint board shall be authorized to organize itself, elect its officers, determine its
63 procedural rules and regulations, adopt bylaws, specify the functions and duties of its
64 employees, and otherwise take such action as is appropriate to the management of the
65 affairs committed to its supervision; provided, however, that no such action shall conflict
66 with state law.

67 (b) Actions and decisions by the joint board shall be by a majority of the members of the
68 joint board.

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SECTION 8.

70 (a) The chair of the joint board shall be the chief executive officer of the joint board and
71 shall generally supervise, direct, and control the administration of the affairs of the joint
72 board pursuant to state law and duly adopted resolutions of the joint board.

73 (b) This joint board shall fix and establish, by appropriate resolution entered on its
74 minutes, directives governing the execution of matters within its jurisdiction. The joint
75 board shall hold regular quarterly meetings at such place as may be designated by the joint
76 board. Any specially called meetings, held pursuant to the bylaws adopted by the joint
77 board, shall be held only after notification of the time and place of the holding of such
78 meeting in accordance with Chapter 14 of Title 50 of the Official Code of Georgia
79 Annotated. All meetings of whatever kind of the joint board shall be open to the public.

80 (c) The joint board shall maintain a written record of policy decisions that shall be
81 amended to include additions or deletions. Such written record shall be made available for
82 the public to review.

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SECTION 9.

84 (a) The joint board shall be responsible for the selection and appointment of an
85 administrative director to be known as the elections supervisor to administer and supervise
86 conduct of elections, primaries, and registration of electors for the county. The elections
87 supervisor shall serve at the pleasure of the joint board. The joint board shall act within 60
88 days of its members taking office under this Act to retain or appoint an elections supervisor
89 who shall be hired by the joint board from a job description drawn by the joint board.

90 (b) In the event the joint board fails to retain or appoint an elections supervisor to fill a
91 vacancy within the time specified in subsection (a) of this section, an acting elections

92 supervisor who shall fill temporarily such vacancy shall be appointed by the governing
93 authority of Randolph County to serve until the joint board fills the vacancy.

94 **SECTION 10.**

95 The joint board shall be authorized to employ full-time and part-time employees, including
96 a full-time chief clerk, with the consent of the governing authority of Randolph County.

97 **SECTION 11.**

98 With the consent of the governing authority of Randolph County, the joint board shall be
99 authorized to expend public funds for the purpose of distributing sample ballots, voter
100 information booklets, and other material designed to inform and instruct adequately the
101 electors of the county with regard to elections. No material distributed by the joint board
102 shall contain or express, in any manner or form, any commentary or expression of opinion
103 or request for support with respect to any political issue or matter of political concern.

104 **SECTION 12.**

105 Compensation for the members of the joint board and the elections supervisor shall be fixed
106 by the joint board with the approval of the governing authority of Randolph County. Such
107 compensation shall be paid from county funds.

108 **SECTION 13.**

109 The governing authority of Randolph County shall provide the joint board and the elections
110 supervisor with proper and suitable offices and equipment.

111 **SECTION 14.**

112 Randolph County shall pay all costs of the operations of the joint board, including, but not
113 limited to, conduct of elections, compensation for members of the joint board and the
114 elections supervisor, training of poll workers, administrative costs associated with the
115 operations of the joint board, the performance of the duties of the joint board set forth herein,
116 and other expenses necessary and incurred by the joint board with the approval of the
117 governing authority of Randolph County. The cities of Cuthbert and Shellman shall
118 reimburse the governing authority of Randolph County for the expenses incurred by
119 Randolph County in conducting the municipal elections for each of such cities.

120 **SECTION 15.**

121 The words "election," "elector," and "public office" shall have the same meaning ascribed
122 to those words by Code Section 21-2-2 of the Official Code of Georgia Annotated, unless
123 otherwise clearly apparent from the text of this Act.

124 **SECTION 16.**

125 An Act to create a board of elections and registration for Randolph County, approved
126 March 5, 2012 (Ga. L. 2012, p. 3906) is hereby repealed.

127 **SECTION 17.**

128 This Act shall become effective upon its approval by the Governor or upon its becoming law
129 without such approval for purposes of making initial appointments to the joint board only.
130 For all other purposes, this Act shall become effective on July 1, 2017, at which point the
131 Board of Elections and Registration for Randolph County shall be relieved of all powers and
132 duties to which the joint board succeeds by the provisions of this Act and it shall deliver
133 thereafter to the chair of the new board the custody of all equipment, supplies, materials,
134 books, papers, records, and facilities of every kind pertaining to such powers and duties. At
135 such time, the Board of Elections and Registration of Randolph County shall be abolished.

136 **SECTION 18.**

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