

House Bill 1200

By: Representative Williams of the 148th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to create a board of elections and registration for Wilcox County and to
2 provide for its powers and duties, approved May 6, 2013 (Ga. L. 2013, p. 4056), so as to
3 provide for the hiring of employees, including an election supervisor, of such board by the
4 county manager of Wilcox County; to provide for the employment of such employees by said
5 county; to provide for the day-to-day supervision of the board's duties; to provide for the
6 distribution of sample ballots and other information by the board; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act to create a board of elections and registration for Wilcox County and to provide for
11 its powers and duties, approved May 6, 2013 (Ga. L. 2013, p. 4056), is amended by revising
12 Section 9 as follows:

13 "SECTION 9.

14 (a) The board shall be authorized to organize itself, determine its procedural rules and
15 regulations, adopt bylaws, specify policies for the functions and duties of its employees and
16 poll workers, and otherwise take such action as is appropriate for the management of the
17 affairs committed to its supervision; provided, however, that no such action shall conflict
18 with state law. Actions and decisions by the board shall be by a majority vote of the
19 members of the board at meetings held in compliance with Chapter 14 of Title 50 of the
20 O.C.G.A., or as otherwise provided by law.

21 (b) The board shall recommend to the county manager for employment such full-time and
22 part-time employees, including poll workers, as may be deemed necessary by the board and
23 as approved in the annual budget adopted by the governing authority of Wilcox County.

24 The governing authority of Wilcox County, at its own discretion, may provide that such

25 employees shall be considered county employees for purposes of pay, benefits, sick leave,
26 vacation, disciplinary action, termination of employment, and all other purposes.

27 (c) In the event that the board desires to have a full-time or part-time election supervisor
28 to administer and supervise the conduct of elections and primaries and the registration of
29 electors, the county manager of Wilcox County may hire such election supervisor based
30 upon a job description drafted and prepared by the board. The board shall have the
31 authority to review applications for the election supervisor position and to participate in
32 any interview process undertaken by Wilcox County. The board shall recommend to the
33 county manager a candidate for the election supervisor position; provided, however, that
34 the county manager may reject any recommendation of the board. If hired, the election
35 supervisor shall be considered a county employee for purposes of pay, benefits, sick leave,
36 vacation, disciplinary action, and termination of employment and subject to the direction,
37 evaluation, and corrective action of the county manager on matters of such employment;
38 provided, however, that the election supervisor shall also be subject to the direction,
39 evaluation, and corrective action of the board as it relates to the conducting and holding of
40 elections and the registration of electors and voters. The election supervisor shall not be
41 eligible to serve as a member of the board.

42 (d) The board shall fix and establish, by appropriate resolution entered on its minutes,
43 directives governing the execution of matters within its jurisdiction. The board shall have
44 regular monthly meetings. The chairperson or any three members of the board may call
45 a special meeting of the board. The board shall maintain a written record of policy
46 decisions, including any amendments making additions or deletions thereto. All such
47 written records shall be made available to the public pursuant to Chapter 18 of Title 50 of
48 the O.C.G.A., or as otherwise provided by law.

49 (e) In the absence of a county manager, the governing authority of the county shall carry
50 out any of the foregoing duties of such manager."

51 **SECTION 2.**

52 Said Act is further amended by revising Sections 12 and 13 as follows:

53 "SECTION 12.

54 (a) The board may adopt a resolution providing that the chairperson shall supervise the
55 day-to-day affairs of the conducting and holding of elections and the registration of electors
56 and voters.

57 (b) The board shall fix and establish, by appropriate resolution entered on its minutes,
58 directives governing the execution of matters within the board's jurisdiction.

59

SECTION 13.

60 (a) The governing authority of Wilcox County shall provide the board with such proper
61 and suitable offices, equipment, materials, and supplies and with such clerical assistance
62 and other employees as the governing authority shall deem appropriate.

63 (b) With the consent of the governing authority of Wilcox County, the board shall be
64 authorized to expend public funds for the purpose of distributing sample ballots, voter
65 information booklets, and other material designed to inform and instruct adequately the
66 electors of the county with regard to elections. No material distributed to the board shall
67 contain or express, in any manner or form, any commentary or expression of opinion or
68 request for support for any political issue or matter of political concern."

69

SECTION 3.

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