

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to  
2 general provisions of state government, so as to provide that the composition of each  
3 statutorily created board and commission reflect the general population; to provide a  
4 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to regional  
8 commissions, is amended by adding a new Code Section, to read as follows:

9 "50-1-10.

10 (a) As used in this Code section, the term 'minority person' means:

11 (1) An African American, that is, a person having origins in any of the racial groups of  
12 the African diaspora;

13 (2) A Hispanic American, that is, a person of Spanish or Portuguese descent with origins  
14 in Spain, Portugal, Mexico, South America, Central America, or the Caribbean,  
15 regardless of race;

16 (3) An Asian American, that is, a person descending from any of the original peoples of  
17 the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including the  
18 Hawaiian Islands prior to 1778;

19 (4) A Native American, that is, a person who has origins in any of the Indian tribes of  
20 North America prior to 1835;

21 (5) An American woman; or

22 (6) A disabled person.

23 (b)(1) In appointing members to any statutorily created decision-making or regulatory  
24 board, commission, council, or committee, the appointing authority should select, from  
25 among the best qualified persons, those persons whose appointment would ensure that  
26 the membership of the board, commission, council, or committee accurately reflects the  
27 proportion that each group of minority persons specified in subsection (a) represents in  
28 the population of the state as a whole or, in the case of a local board, commission,  
29 council, or committee, in the population of the area represented by the board,  
30 commission, council, or committee, as determined pursuant to the most recent federal  
31 decennial census, unless the law regulating such appointment requires otherwise, or  
32 persons of the underrepresented minority group cannot be recruited.

33 (2) When appointing members to a statutorily created decision-making or regulatory  
34 board, commission, council, or committee which was created to address a specific issue  
35 relating to minority persons, the appointing authority should give weight to the minority  
36 group that the board, commission, council, or committee was created to serve. If the size  
37 of the board, commission, council, or committee is too small to accurately represent all  
38 minority groups, appointments should be made which conform to the requirements of this  
39 section insofar as possible. If there are multiple appointing authorities for the board,  
40 commission, council, or committee, they shall consult with each other to ensure  
41 compliance with this section.

42 (c)(1) Each appointing authority described in subsection (b) shall submit an annual report  
43 to the Secretary of State by December 1, which discloses the number of appointments  
44 made during the preceding year from each minority group and the number of nonminority  
45 appointments made, expressed both in numerical terms and as a percentage of the total  
46 membership of the board, commission, council, or committee. In addition, information  
47 shall be included in the report detailing the number of disabled persons appointed to  
48 boards, commissions, councils, and committees in the previous calendar year. A copy  
49 of the report shall be submitted to the Governor, the Speaker of the House of  
50 Representatives, and the President of the Senate.  
51 (2) Such appointing authority shall designate a person responsible for retaining all  
52 applications for appointment, who shall ensure that information describing each  
53 applicant's race, ethnicity, gender if applicable, and qualifications are available for public  
54 inspection during reasonable hours. Nothing in this section requires disclosure of an  
55 applicant's identity or of any other information made confidential by law."

56

**SECTION 2.**

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