

House Bill 397 (RULES COMMITTEE SUBSTITUTE)

By: Representatives Fleming of the 114th, LaHood of the 175th, Leverett of the 123rd, Gullett of the 19th, Scoggins of the 14th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
2 elections and primaries generally, so as to revise procedures for the removal of members of
3 the State Election Board who were elected by a house of the General Assembly; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
8 primaries generally, is amended in Code Section 21-2-30, relating to creation, membership,
9 terms of service, vacancies, quorum, bylaws, meetings, and executive director, by revising
10 subsection (b) as follows:

11 "(b) A member elected by a house of the General Assembly shall take office on the day
12 following the adjournment of the regular session in which elected and shall serve for a term
13 of two years and until his or her successor is elected and qualified, unless sooner removed.
14 An elected member of the board may be removed at any time the General Assembly is in
15 session by a majority vote of the house which elected him or her, or at any time when the
16 General Assembly is not in session by the President of the Senate if such member was

H. B. 397 (SUB)

17 elected by the Senate or by the Speaker of the House of Representatives if such member
18 was elected by the House of Representatives. In the event a vacancy should occur in the
19 office of such a member of the board at a time when the General Assembly is not in
20 session, then the President of the Senate shall thereupon appoint an elector to fill the
21 vacancy if the prior incumbent of such office was elected by the Senate or appointed by the
22 President of the Senate; and the Speaker of the House of Representatives shall thereupon
23 appoint an elector to fill the vacancy if the prior incumbent of such office was elected by
24 the House of Representatives or appointed by the Speaker of the House of Representatives.
25 A member appointed to fill a vacancy may be removed ~~at any time by a majority vote of~~
26 ~~the house whose presiding officer appointed him or her~~ in the same manner as a member
27 elected by a house of the General Assembly."

28 **SECTION 2.**

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