

Senate Bill 358

By: Senators Jones of the 10th, Harrell of the 40th, Mangham of the 55th, Anderson of the 43rd, Parent of the 44th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act revising, superseding, and consolidating the laws relating to the governing
2 authority of DeKalb County and creating a chairman and board of commissioners of said
3 county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act
4 approved April 9, 1981 (Ga. L. 1981, p. 4304), an Act approved March 20, 1990
5 (Ga. L. 1990, p. 3900), an Act approved April 13, 1992 (Ga. L. 1992, p. 6137), an Act
6 approved May 12, 2015 (Ga. L. 2015, p. 3811), and an Act approved July 29, 2020
7 (Ga. L. 2020, p. 4069), so as to revise administrative procedures related to verification of
8 ethics complaints; to provide for related matters; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act revising, superseding, and consolidating the laws relating to the governing authority
13 of DeKalb County and creating a chairman and board of commissioners of said county,
14 approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved
15 April 9, 1981 (Ga. L. 1981, p. 4304), an Act approved March 20, 1990 (Ga. L. 1990,
16 p. 3900), an Act approved April 13, 1992 (Ga. L. 1992, p. 6137), an Act approved

May 12, 2015 (Ga. L. 2015, p. 3811), and an Act approved July 29, 2020 (Ga. L. 2020, p. 4069), is amended by revising subparagraph (f)(1)(B) of Section 22A as follows:

"(B) A sworn written complaint may be filed with the ethics administrator of the Board of Ethics, as described in this paragraph. All written complaints to be considered by the Board of Ethics and the ethics administrator shall contain the following, if applicable:

- (i) The name and address of the person or persons filing the complaint;
- (ii) The signature of the complainant which shall be validated by the ethics officer;
- (iii) The name and address of the party or parties against whom the complaint is filed and, if such party is a candidate, the office being sought;
- (iv) A clear and concise statement of acts upon which the complaint is based along with an allegation that such facts constitute one or more violations of law under the jurisdiction of the Board of Ethics;
- (v) A general reference to the allegedly violated statutory provision(s) of the code of ethics within the jurisdiction of the Board of Ethics; and
- (vi) Any further information which might support the allegations in the complaint including, but not limited to, the following:
 - (I) The names and addresses of all other persons who have firsthand knowledge of the facts alleged in the complaint; and
 - (II) Any documentary evidence that supports the facts alleged in the complaint;"

SECTION 2.

Said Act is further amended by revising paragraph (3) of subsection (j) of Section 22A as follows:

"(3) A complaint may be filed by any resident or group of residents of DeKalb County by submitting to the office of the ethics administrator a written, and sworn complaint under the penalty of perjury or false swearing. The complaint shall specifically identify

43 all provisions of the DeKalb County code of ethics which the subject of the complaint is
44 alleged to have violated, set forth facts as would be admissible in evidence in a court
45 proceeding, and show affirmatively that the complainant or affiant (if in addition to or
46 different from the complainant) is competent to testify to the matter set forth therein. All
47 documents referenced in the complaint as well as supporting affidavits shall be attached
48 to the complaint;"

49 **SECTION 3.**

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