

House Bill 759 (AS PASSED HOUSE AND SENATE)

By: Representatives Camp of the 135th and Mathiak of the 82nd

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act to provide a board of elections for Spalding County, approved March 19,
2 1987 (Ga. L. 1987, p. 4432), as amended, so as to update provisions related to the terms of
3 board members; to revise provisions related to holding meetings of the board; to rename the
4 elections supervisor as the elections director; to revise duties of the elections director; to
5 authorize the board to hire its own legal counsel; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to provide a board of elections for Spalding County, approved March 19, 1987
10 (Ga. L. 1987, p. 4432), as amended, is amended by revising subsection (b) of Section 5 as
11 follows:

12 "(b) The initial member appointed by the judges of the superior court shall serve an initial
13 term ending on January 1, 2025, and until a successor is appointed and qualified.
14 Successors to such fifth member shall be subject to removal at any time for cause by a
15 majority of the superior court judges of Spalding County after notice and a hearing."

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SECTION 2.

Said Act is further amended by revising subsections (b) and (e) of Section 9 as follows:

"(b) The board shall comply fully with the provisions of Chapter 14 of Title 50 of the O.C.G.A., relating to open meetings, and Article 4 of Chapter 18 of Title 50 of the O.C.G.A., relating to open records. The board shall ensure that the public has adequate access to its meetings."

"(e) The elections director shall be responsible for training or causing to be trained all employees of the board and all poll workers in election laws and procedures."

SECTION 3.

Said Act is further amended by revising Section 10 as follows:

"SECTION 10.

The elections director shall be responsible for the selection, appointment, and training of all poll workers in elections, and such workers shall be appointed, insofar as practicable, from lists provided to the board by the county executive committee of each political party."

SECTION 4.

Said Act is further amended by revising Section 12 as follows:

"SECTION 12.

(a) There shall be an administrative director, to be known as the elections director, to administer and supervise the conduct of elections, primaries, and registration of electors for the county who shall serve at the pleasure of the board. The board shall act to appoint such administrative director or elections director within 60 days of the effective date of this section, or of the date of any vacancy in such position. Such elections director shall be a

38 legal resident of and registered to vote in Spalding County and shall remain a legal resident
39 of and a registered elector of Spalding County while serving as elections director.

40 (b) The elections director shall be a full-time employee and shall not have any other
41 employment while in such position. The elections director shall be an employee of
42 Spalding County and shall be entitled to all benefits available to other employees.

43 (c) Compensation for the elections director shall be set by the board consistent with the
44 budget of the board approved by the governing authority of Spalding County. Such
45 compensation shall be paid wholly from county funds.

46 (d) The elections director shall be authorized to employ such full-time and part-time
47 employees as the elections director shall deem necessary, provided that the same is
48 consistent with the budget of the board approved by the governing authority of Spalding
49 County. All such employees shall be legal residents of and registered to vote in Spalding
50 County and shall remain legal residents of and registered electors of Spalding County while
51 employed by the board.

52 (e) No person who holds an elective public office shall be eligible to serve as elections
53 director or as an employee of the elections office during the term of his or her elective
54 office, and the position of elections director or any employee of the elections office shall
55 be deemed vacant upon such person qualifying as a candidate in any primary or election
56 for public office. No person shall be eligible to serve as elections director or employee of
57 the elections office while holding any public office to which he or she was appointed or
58 while he or she is a salaried employee of the governing authority of Spalding County or of
59 any municipality within the county or of any board of education or commission, board, or
60 authority appointed by the governing authority of the county or any municipality within the
61 county."

62 SECTION 5.

63 Said Act is further amended by revising subsection (b) of Section 14 as follows:

66 **SECTION 6.**
67 All laws and parts of laws in conflict with this Act are repealed.

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