

House Bill 1359 (AS PASSED HOUSE AND SENATE)

By: Representative LaHood of the 175th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to create a board of elections and registration for Brooks County, approved
2 April 20, 2011 (Ga. L. 2011, p. 3703), so as to expand the board to five members; to provide
3 for a quorum of the board; to revise the manner in which members of the board are appointed
4 by the governing authority of the county; to make conforming changes regarding filling
5 vacancies on the board; to provide that the elections supervisor and employees of such
6 supervisor shall be subject to hiring, firing, and the control of the board of elections; to
7 provide for related 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 Brooks County, approved April 20,
11 2011 (Ga. L. 2011, p. 3703), is amended by revising subsections (a) and (b) of Section 3 as
12 follows:

13 "(a)(1) Those members of the board serving on the effective date of this Act shall have
14 their terms expire on December 31, 2026. As of January 1, 2027, the board shall be
15 composed of five members, each of whom shall be an elector of the county and who shall

16 be appointed as provided for in paragraph (2) of this subsection. Three members of the
17 board shall constitute a quorum of said board.

18 (2) Each member of the Brooks County Board of Commissioners shall appoint one
19 member of the board of elections, with such appointment being subject to approval by
20 majority vote of the board of commissioners.

21 (b) The initial members of the board appointed pursuant to this Act shall serve for terms
22 of office beginning January 1, 2027. The board of commissioners shall designate two of
23 the initial members to serve for a term ending on December 31, 2029, and three of the
24 initial members to serve for a term ending on December 31, 2031, and until their successors
25 are duly appointed and qualified. Upon the expiration of each initial term all subsequent
26 terms shall be for a four-year period."

27 **SECTION 2.**

28 Said Act is further amended by revising Section 6 as follows:

29 "SECTION 6.

30 In the event a vacancy occurs in the office of any member of the board by removal, death,
31 resignation, or otherwise, the commissioners shall appoint a successor, using the same
32 manner as was used to appoint the person vacating the board, for the remainder of the
33 unexpired term. The clerk of the superior court shall be notified of interim appointments
34 and record and certify such appointments in the same manner as the regular appointment
35 of members."

36 **SECTION 3.**

37 Said Act is further amended by revising Sections 11 and 12 as follows:

38 "SECTION 11.

39 The board of elections shall be authorized to appoint an elections supervisor to generally
40 supervise, direct, and control the administration of the affairs of the board pursuant to law
41 and duly adopted resolutions of the board. The elections supervisor shall not be eligible
42 to serve as a member of the board. The elections supervisor shall be considered a county
43 employee for purposes of pay, benefits, sick leave, vacation, and other administrative
44 purposes in accordance with policies adopted by the governing authority, but such
45 supervisor shall be subject to hiring, direction, evaluation, corrective action, and
46 termination by the board of elections.

47 SECTION 12.

48 The elections supervisor shall be authorized to employ such employees, including poll
49 workers, as may be deemed necessary by the elections supervisor and as are approved in
50 the annual budget adopted by the governing authority of the county. All such employees
51 shall be considered county employees for purposes of pay, benefits, sick leave, vacation,
52 and other administrative purposes in accordance with policies adopted by the governing
53 authority, but such employees shall be subject to hiring, direction, evaluation, corrective
54 action, and termination by the elections supervisor."

55 SECTION 4.

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