A BILL TO BE ENTITLED
AN ACT

To amend an Act to create a board of elections and registration for Jackson County, approved April 20, 2011 (Ga. L. 2011, p. 3673), so as to provide for the composition of the board of elections and registration; to provide for the selection and qualifications of members of the board; to provide for filling vacancies on the board; to provide for the appointment of an elections supervisor; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to create a board of elections and registration for Jackson County, approved April 20, 2011 (Ga. L. 2011, p. 3673), is amended by revising Section 3 as follows:

"SECTION 3.

(a) Until July 1, 2019, the board shall be composed of a chairperson and two members. On and after July 1, 2019, the board shall be composed of five members, each of whom shall be appointed as provided for in this section. The terms of the members of the Jackson County Board of Elections and Registration in office on the effective date of this section shall terminate on June 30, 2019.

(b) All members of the board shall be appointed by the chief judge of the Superior Court of Jackson County. On and after July 1, 2019, two members of the board shall be nominated by the political party whose candidate for the office of Governor at the last election for such office received the highest number of votes cast for such office within the county. Two members of the board shall be nominated by the political party whose candidate for the office of Governor at the last election for such office received the second highest number of votes cast for such office within the county. Each of the four members nominated by political parties shall be nominated by the county executive committee of the respective political party at least 30 days before the beginning of the term of office or
within 30 days after the creation of a vacancy in the office and, upon approval, the
nomination shall be immediately submitted to the chief judge of the Superior Court of
Jackson County for approval and appointment. Should such chief judge refuse to approve
and appoint such nominee, a new nominee shall be nominated and submitted for approval
and appointment in the same manner. In the event that a political party entitled to make
nominations under this section does not have an active and functioning county executive
committee, such nomination shall be made by the state executive committee of the political
party.

(c) The remaining member shall be appointed by the chief judge of the Superior Court of
Jackson County and shall serve as the chairperson of the board.

(d) The initial term of office of one member from each political party as set forth in
subsection (b) of this section and as designated by his or her appointment shall begin on
July 1, 2019, and shall expire on December 31, 2020, upon the appointment and
qualification of his or her respective successor. The initial term of office of the remaining
member from each political party as set forth in subsection (b) of this section shall begin
on July 1, 2019, and shall expire on December 31, 2022, and upon the appointment and
qualification of his or her respective successor. The initial term of office of the member
appointed by the chief judge of the Superior Court of Jackson County shall begin on
July 1, 2019, and shall expire on December 31, 2022, upon the appointment and
qualification of his or her respective successor. Successors to the members of the board
whose terms are to expire shall be appointed to take office on the first day of January
immediately following the expiration of such terms of office and shall serve for terms of
four years each and until their successors are duly appointed and qualified. The board shall
take no official action until all members have been certified to the clerk of the Superior
Court of Jackson County.

(e) The office of a member of the board shall be vacated immediately upon such member
qualifying for any nomination or office to be voted for at a primary or election or
qualifying for any nomination or office or qualifying to have such member's name placed
on any primary or election ballot pursuant to Code Sections 21-2-132 and 21-2-153 of the
O.C.G.A. or giving notice of such member's intention of write-in candidacy; provided,
however, that this subsection shall not apply to a member qualifying for or having such
member's name placed on the ballot or holding office as a presidential elector.

(f) No member of the board, while conducting the duties of such member's office, shall
engage in any political activity on behalf of a candidate, political party or body, or
question, including, but not limited to, distributing campaign literature, engaging in any
communication that advocates or criticizes a particular candidate, officeholder, or political
party or body, and wearing badges, buttons, or clothing with partisan messages.
(g) No person who holds office in a political party at any level of such political party shall be eligible to serve as chairperson during the term of such political party office. The position of chairperson shall be deemed vacant upon such chairperson's assuming a political party office."

SECTION 2.

Said Act is further amended by revising Section 7 as follows:

"SECTION 7.

In the event a vacancy occurs in the office of any appointed member before the expiration of his or her term, by removal, death, resignation, or otherwise, the chief judge of the Superior Court of Jackson County shall appoint a successor to serve the remainder of the unexpired term as provided for in Section 3 of this Act. In the case of a member who was nominated by a political party, the appointment shall be based upon the nomination of the party of the member whose seat has become vacant as provided for in Section 3 of this Act. The clerk of the superior court shall be notified of such interim appointments and shall record and certify such appointments in the same manner as the regular appointment of members."

SECTION 3.

Said Act is further amended by revising subsection (a) of Section 11 as follows:

“(a) The governing authority of Jackson County shall be authorized to appoint an elections supervisor to generally supervise, direct, and control the administration of the affairs of the board pursuant to law and duly adopted resolutions of the board who shall serve at the pleasure of the governing authority. The elections supervisor shall not be a member of the board or an elected official. The elections supervisor shall be considered an employee of Jackson County and shall be entitled to the same benefits as other employees of Jackson County."

SECTION 4.

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