

House Bill 623 (AS PASSED HOUSE AND SENATE)

By: Representative Pullin of the 131st

A BILL TO BE ENTITLED
AN ACT

1 To create the Joint Board of Elections and Registration of Pike County, which shall conduct
2 primaries and elections for Pike County, the Town of Concord, the City of Meansville, the
3 City of Molena, the Town of Williamson, and the City of Zebulon; to provide for its powers
4 and duties; to provide for definitions; to provide for the composition of the board and the
5 selection and appointment of members; to provide for the qualification, terms, and removal
6 of members; to provide for oaths and privileges; to provide for meetings, procedures, and
7 vacancies; to relieve certain officers of powers and duties and to provide for the transfer of
8 functions to the newly created board; to provide for an election supervisor and the duties of
9 such office; to provide for certain expenditures of public funds; to provide for certain
10 personnel; to provide for compensation of members of the board and personnel; to provide
11 for offices and equipment; to provide for the board's performance of certain functions and
12 duties for certain municipalities; to provide for related matters; to provide effective dates; to
13 repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Pursuant to subsection (b) of Code Section 21-2-45 of the O.C.G.A., there is created the Joint
17 Board of Elections and Registration of Pike County, hereinafter referred to as "the board."
18 Except as otherwise provided in this Act, the board shall have the powers, duties, and
19 responsibilities of the election superintendent of Pike County, the municipal election
20 superintendents of the Town of Concord, the City of Meansville, the City of Molena, the
21 Town of Williamson, and the City of Zebulon, and the board of registrars of Pike County,
22 all as provided for under Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

23 **SECTION 2.**

24 The terms "election," "political party," "primary," and "public office" shall have the same
25 meanings as set forth in Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code,"

26 unless otherwise clearly apparent from the context of this Act, and the term "commissioners"
27 means the board of commissioners of Pike County and "county" means Pike County.

28 **SECTION 3.**

29 (a) The board shall be composed of five members who shall be appointed by the Pike
30 County Board of Commissioners.

31 (b) All appointments to the board shall be promptly certified by the appointing authority to
32 the clerk of the Superior Court of Pike County.

33 (c) The initial appointees to the board shall take office on July 1, 2019. Successors to each
34 member shall thereafter be appointed by the appropriate appointing authority or authorities
35 to serve a term of office of four years and until his or her respective successor is duly
36 appointed and qualified.

37 (d) Pike County shall make appointments no more than 60 days before a vacancy occurs and
38 no more than 60 days after a vacancy occurs.

39 **SECTION 4.**

40 (a) No person who holds elective public office shall be eligible to serve as a member of the
41 board during the term of such elective office, and the position of any member of the board
42 shall be deemed vacant upon such member's qualifying as a candidate for elective public
43 office.

44 (b) Members of the board must be residents of Pike County or their respective appointing
45 city, as appropriate, and must have been registered voters in Pike County for a period of at
46 least one year prior to the date of their appointment to the board.

47 **SECTION 5.**

48 The appointing authorities shall certify the appointment of each member of the board by
49 filing an affidavit with the clerk of the Superior Court of Pike County not later than 15 days
50 preceding the date upon which such members are to take office, stating the name and
51 residential address of the person appointed and certifying that such member has been duly
52 appointed as provided in this Act. The clerk of the superior court shall record each such
53 certification on the minutes of the superior court and shall certify the name of each such
54 appointed member to the Secretary of State and provide for the issuance of appropriate
55 commissions to the members within the same time and in the same manner as provided by
56 law for registrars.

57 **SECTION 6.**

58 Each member of the board shall have the right to resign at any time by giving written notice
59 of such resignation to the governing authority of Pike County, the Town of Concord, the City
60 of Meansville, the City of Molena, the Town of Williamson, and the City of Zebulon, as
61 appropriate, and to the clerk of the superior court, and shall be subject to removal from the
62 board by the chief judge of the Superior Court of Pike County at any time, for cause, after
63 notice and hearing.

64 **SECTION 7.**

65 In the event a vacancy occurs in the office of any appointed member before the expiration
66 of his or her term, by removal, death, resignation, or otherwise, the authority that appointed
67 the member whose position has been vacated shall appoint a successor to serve the remainder
68 of the unexpired term as provided for in Section 3 of this Act. The clerk of the superior court
69 shall be notified of such interim appointments and shall record and certify such appointments
70 in the same manner as the regular appointment of members.

71 **SECTION 8.**

72 Before entering upon the member's duties, each member shall take substantially the same
73 oath as required by law for registrars and shall have the same privileges from arrest.

74 **SECTION 9.**

75 (a) The board shall be authorized to organize itself, elect a chairperson, determine its
76 procedural rules and regulations, adopt bylaws, specify the functions and duties of its
77 employees, and otherwise take such action as is appropriate to the management of the affairs
78 committed to its supervision; provided, however, that no such action shall conflict with state
79 law. Actions and decisions by the board shall be by majority vote of the members of the
80 board. The board shall be responsible for the selection, appointment, and training of poll
81 workers in primaries and elections.

82 (b) The board shall fix and establish, by appropriate resolution entered on its minutes,
83 directives governing the execution of matters within its jurisdiction. Any specially called
84 meeting shall be called by the chairperson or any member of the board. The board shall
85 maintain a written record of policy decisions amended to include additions or deletions.
86 Such written records shall be made available for the public to review.

87 (c) The board shall establish an annual budget. The budget shall be approved by Pike
88 County. The board's operational costs, including personnel, shall be paid by Pike County,
89 the Town of Concord, the City of Meansville, the City of Molena, the Town of Williamson,

90 and the City of Zebulon as set forth in an intergovernmental agreement to be entered into
91 among the governing bodies of such political subdivisions.

92 **SECTION 10.**

93 (a) At the request of the Town of Concord, the City of Meansville, the City of Molena, the
94 Town of Williamson, and the City of Zebulon, as appropriate, the board shall conduct the
95 holding of any municipal primary or election within the Town of Concord, the City of
96 Meansville, the City of Molena, the Town of Williamson, and the City of Zebulon. Each city
97 shall designate polling places and handle the qualifying of candidates for their respective
98 municipal primaries and elections, unless the board is otherwise requested to handle such
99 duties.

100 (b) The board shall be responsible for the holding of any municipal primary or election to
101 be conducted within the Town of Concord, the City of Meansville, the City of Molena, the
102 Town of Williamson, and the City of Zebulon, and the cost of any such election shall be paid
103 for from the funds of such cities.

104 **SECTION 11.**

105 (a) The election supervisor shall be a Pike County employee. Such position may be full time
106 or part time. The election supervisor shall direct and control the administration of elections
107 and voter registration in Pike County and, except as otherwise provided for in this Act, the
108 holding of any municipal primary or election to be conducted within the Town of Concord,
109 the City of Meansville, the City of Molena, the Town of Williamson, and the City of Zebulon
110 and shall supervise, direct, and control the administration of the affairs of the board pursuant
111 to law and duly adopted resolutions of the board. The election supervisor shall not be an
112 elected official or a member of the board, but shall be supervised by the board. As an
113 employee of Pike County, the election supervisor shall be entitled to the same benefits as
114 other employees of Pike County.

115 (b) Subject to county approval, the board is authorized to employ additional clerical
116 assistants as needed to carry out the duties and functions of the board. All such clerical
117 assistants shall be considered to be employees of Pike County and shall be entitled to the
118 same benefits as other employees of Pike County.

119 (c) The election supervisor and the clerical assistants shall be under the exclusive control,
120 direction, and supervision of the board; provided, however, that all employees of the board
121 shall be subject to the Pike County personnel policy and procedure manual.

122 **SECTION 12.**

123 Compensation for the members of the board, the election supervisor, clerical assistants, and
124 other employees shall be fixed by the governing authority of Pike County. Such
125 compensation shall be paid from county funds and from the annual lump sum of municipal
126 funds of the Town of Concord, the City of Meansville, the City of Molena, the Town of
127 Williamson, and the City of Zebulon as provided for in Section 9 of this Act.

128 **SECTION 13.**

129 The governing authority of Pike County shall provide the board with proper and suitable
130 offices, equipment, materials, and supplies and with clerical assistance and other employees,
131 which may include current employees of the board of registrars of Pike County, as the
132 governing authority of Pike County deems appropriate.

133 **SECTION 14.**

134 This Act shall become effective upon its approval by the Governor or upon its becoming law
135 without such approval for purposes of making initial appointments to the board only. This
136 Act shall become fully effective on July 1, 2019. Upon this Act becoming fully effective,
137 the superintendent of elections of Pike County, the board of registrars of Pike County, and,
138 except as otherwise provided for in this Act, the municipal election superintendents of the
139 Town of Concord, the City of Meansville, the City of Molena, the Town of Williamson, and
140 the City of Zebulon shall be relieved of all powers and duties to which the board succeeds
141 by the provisions of this Act and shall deliver to the board all equipment, supplies, materials,
142 books, papers, records, and facilities pertaining to such powers and duties.

143 **SECTION 15.**

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