



**OFFICE OF SECRETARY OF STATE**

**I, Brian P. Kemp, Secretary of State of the State of Georgia, do hereby certify that**

the seven pages of photocopied matter hereto attached contain a true and correct copy of an Act approved by the Governor on May 01, 2017 numbered Act No. 69, House Bill 219; all as same appear of file and record in this office.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 18th day of April, in the year of our Lord Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

*B. P. Kemp*

Brian P. Kemp, Secretary of State

ENROLLMENT

April 3 20 17

The Committee of the House on Information and Audits has examined the within and finds the same properly enrolled.

H.B. No. 219 Act No. 69  
General Assembly



AN ACT

To create a board of elections and registration for Coweta County and to provide for its powers and duties; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Shirley K. Taylor  
Chairman

Secretary of the House

Clerk of the House

President of the Senate

Secretary of the Senate

Received \_\_\_\_\_  
Secretary, Executive Department

This 3<sup>rd</sup> day of April 20 17

Approved \_\_\_\_\_  
Governor

IN HOUSE

Read 1<sup>st</sup> time 2-02-17

Read 2<sup>nd</sup> time 2-07-17

Read 3<sup>rd</sup> time 2-10-17

And Passed

Yea 159 Nays 0

IN SENATE

Read 1<sup>st</sup> time 2-14-17

Read 2<sup>nd</sup> time

Read 3<sup>rd</sup> time

And Passed 2-17-17

Yea 52 Nays 0

Passed Both Houses

By: Reps. Smith of the 70<sup>th</sup>, Stover of the 71<sup>st</sup>, Trammell of the 132<sup>nd</sup>, and others  
Secretary of the Senate

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AN ACT

To create a board of elections and registration for Coweta County and to provide for its powers and duties; to define certain terms; to provide for the composition of the board and the selection, qualifications, and terms of its members; to provide for the resignation, succession, and removal of members and for filling vacancies; to provide for oaths and privileges; to provide for meetings, procedures, and vacancies; to relieve a certain board and officers of certain powers and duties and provide for the transfer of certain items to the newly created board; to abolish a certain board and officers and to provide for the repeal of the local act related thereto; to provide for meetings and procedures; to provide for an elections supervisor and the powers and duties of such elections supervisor; to provide for board employees and their compensation; to provide for expenditures of public funds for certain purposes; to provide for compensation of members of the board and personnel; to provide for offices and equipment; to provide for contracts; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

As used in this Act, the term:

- (1) "Board" means the Coweta County Board of Elections and Registration.
- (2) "Commissioners" means the Coweta County Board of Commissioners.
- (3) "County" means Coweta County.
- (4) "Election," "elector," "primary," and "public office" shall have the same meanings as ascribed to those terms by Code Section 21-2-2 of the O.C.G.A., unless otherwise clearly apparent from the text of this Act.

**SECTION 2.**

Pursuant to subsection (b) of Code Section 21-2-40 of the O.C.G.A., there is created a board of elections and registration for Coweta County which shall have jurisdiction over the conduct of primaries and elections and the registration of electors in such county in accordance with the provisions of this Act. Such board shall be known as the Coweta County Board of Elections and Registration. The board shall have the powers, duties, and responsibilities of the superintendent of elections of Coweta County under Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," currently being exercised by the board of elections of Coweta County, and the powers, duties, and responsibilities of the board of

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registrars of Coweta County under Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

**SECTION 3.**

- (a) The board shall be composed of five members, each of whom shall be an elector of the county and who shall be appointed by the commissioners.
- (b) The initial members of the board shall be appointed for terms of office beginning July 1, 2017. All members of the board shall be appointed by the Coweta County Board of Commissioners. The commissioners shall designate two of the initial members to serve for a term ending on December 31, 2018, and three of the initial members to serve for a term ending on December 31, 2020, and until their respective successors are appointed and qualified. The subsequent terms shall be for a four-year period, and until successors are appointed and qualified.
- (c) No person who holds or qualifies as a candidate for elective public office shall be eligible to serve as a member of the board during the term of such office, and the position of any member of the board shall be deemed vacant upon such member's qualifying as a candidate for elective public office.

**SECTION 4.**

- (a) The appointment of each member shall be made by the commissioners filing an affidavit with the clerk of the superior court no later than 30 days preceding the date upon which such member is to take office, stating the name and residential address of the person appointed and certifying that such member has been duly appointed as provided in this Act. The clerk of the superior court shall record each of such certifications on the minutes of the superior court and shall certify the name of each such appointed member to the Secretary of State and provide for the issuance of appropriate commissions to the members within the same time and in the same manner as provided by law for registrars.
- (b) If the commissioners do not certify in conformity with this Act an appointment to the board within 30 days after the beginning of a term of office or within 30 days after the creation of a vacancy in that office, then the judge of the Probate Court of Coweta County shall immediately fill the vacancy by making the appointment and shall certify it as provided in this section. Any person appointed to fill a vacancy shall serve out the unexpired term of the office.

**SECTION 5.**

Each member of the board shall be eligible to succeed himself or herself without limitation and shall have the right to resign at any time by giving written notice of his or her resignation

to the commissioners and to the clerk of the Superior Court of Coweta County. Each member shall be subject to removal for good cause from the board by the commissioners at any time after notice and hearing.

**SECTION 6.**

Except as provided in subsection (b) of Section 4 of this Act, in the event a vacancy occurs in the office of any member of the board by removal, death, resignation, or otherwise, the commissioners shall appoint a successor for the remainder of the unexpired term. The clerk of superior court shall be notified of interim appointments and shall record and certify such appointments in the same manner as the regular appointments of members.

**SECTION 7.**

Before entering upon his or her duties, each member of the board shall take substantially the same oath as required by law for members of a board of elections and registration. Each member of the board shall have the same privileges from arrest as registrars.

**SECTION 8.**

On July 1, 2017, the board of registrars of Coweta County and the board of elections of Coweta County shall be relieved of all powers and duties to which the board succeeds by the provisions of this Act. They shall deliver thereafter to the chairperson of the board, upon his or her written request, custody of all equipment, supplies, materials, books, papers, records, and facilities of every kind pertaining to such powers and duties. At such time, the board of registrars of Coweta County and the board of elections of Coweta County shall stand abolished, and an Act providing a board of elections for Coweta County, approved June 4, 2003, (Ga. L. 2003, p. 4716), shall stand repealed.

**SECTION 9.**

The board shall be authorized and empowered to organize itself, elect its officers, determine its procedural rules and regulations, adopt bylaws, specify the functions and duties of the elections supervisor, and otherwise take such action as is appropriate to the management of the affairs committed to its supervision; provided, however, that no such action shall conflict with state law. Action and decision by the board shall be by a majority of the members of the board present at any meeting at which there is a quorum. Every year, the board shall elect one of its members to serve as chairperson for a one-year term.

**SECTION 10.**

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The board may hold regular meetings at the county courthouse or such other locations as the board may prescribe. Any specially called meetings held pursuant to the bylaws adopted by the board shall be held only after notification of the time and place of the holding of such meeting has been communicated in writing to the elections supervisor who shall provide public notice of the meeting as required by law. All meetings of the board of whatever kind shall be conducted pursuant to Chapter 14 of Title 50 of the O.C.G.A., relating to open meetings.

**SECTION 11.**

There shall be a full-time elections supervisor to administer and supervise the conduct of elections and primaries and the registration of electors of the county. The board shall act within 60 days of its members taking office under this Act, or of the date of any vacancy in such position, to submit and recommend for the position one to three names of qualified individuals to the county administrator, who shall hire an elections supervisor based on a job description drawn by the board. The county administrator may either hire one of the candidates submitted and recommended by the board, or the county administrator may reject all the candidates submitted and recommended by the board and hire another qualified candidate. The elections supervisor shall not be eligible to serve as a member of the board. The elections supervisor shall be considered a county employee for purposes of pay, benefits, sick leave, vacation, termination of employment, and other purposes. The elections supervisor shall be subject to direction, evaluation, and corrective action by the county administrator.

**SECTION 12.**

The elections supervisor may recommend to the county administrator for employment such full-time and part-time employees as may be deemed necessary by the elections supervisor and as are approved in the annual budget adopted by the governing authority of the county. All such employees shall be considered county employees for purposes of pay, benefits, sick leave, vacation, and other purposes in accordance with policies adopted by the governing authority.

**SECTION 13.**

With the consent of the commissioners, the board shall be authorized to expend public funds for the purpose of distributing sample ballots, voter information booklets, and other material designed to inform and instruct adequately the electors of the county with regard to elections. No material distributed by the board shall contain or express, in any manner or form, any commentary or expression of opinion or request for support for any political issue or matter of political concern.

**SECTION 14.**

The compensation of the chairperson and other members of the board, the elections supervisor, clerical assistants, and other employees shall be as fixed by the commissioners of the county. Such compensation shall be paid from county funds.

**SECTION 15.**

The commissioners shall provide the board and the elections supervisor with proper and suitable offices and equipment.

**SECTION 16.**

The board shall have the authority to contract with any municipality located within the county for the holding by the board of any primary or election to be conducted within the municipality and to contract as otherwise necessary for conduction of an election; provided, however, that any such contract shall be approved and ratified by the governing authority of the county.

**SECTION 17.**

(a) For the purposes of making initial appointments to the board, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) For all other purposes, this Act shall become effective on July 1, 2017.

**SECTION 18.**

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

**APPROVED**

MAY 01 2017

**BY GOVERNOR**

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**NOTICE OF INTENTION  
TO INTRODUCE LOCAL  
LEGISLATION**

Notice is given that there will be introduced at the regular 2017 session of the General Assembly of Georgia a bill to create a board of elections and registration for Coweta County and to provide for its powers, duties, and operation; to relieve a certain board and officers of certain powers and duties and provide for the transfer of certain items to the newly created board; to abolish a certain board and officers; and to provide for the repeal of the local act related thereto; to provide for related matters; to provide for effective dates; and for other purposes.

**AFFIDAVIT**

GEORGIA, FULTON COUNTY

I, Lynn Smith, Representative from District 70, state on oath as follows:

- (1) I am the author of the local bill to which this affidavit is attached.
- (2) In accordance with O.C.G.A. § 28-1-14, the notice requirements for the local bill to which this affidavit is attached have been satisfied, including but not limited to the following:
  - (A) The Notice of Intention to Introduce Local Legislation which is attached to such local bill was published in the Newnan Times-Herald, which is the official organ of Coweta County, on the 12th of January in the year 2017; and
  - (B) If the local bill amends the charter of a municipality or the enabling Act of the governing authority of a county or consolidated government, then a copy of the Notice of Intention to Introduce Local Legislation was mailed, transmitted by facsimile, or otherwise provided to the governing authority of such municipality, county, or consolidated government:
    - (i) During the calendar week in which the Notice was published in the official organ; or
    - (ii) During the seven days immediately following the date of publication of such Notice.

s/ Rep Lynn R Smith  
Affiant

Sworn to and subscribed at the  
State Capitol in Atlanta, Georgia,  
This 31<sup>st</sup> of January, 2017,  
Before me:

s/ Jennifer Burgess

Jennifer Burgess  
Notary Public, Fulton County, Georgia  
My Commission Expires December 29, 2018  
[SEAL]

