

1 To create a board of elections and registrations for Irwin County and to provide for its powers and
2 duties; to provide for definitions; to provide for the composition of the board and the selection and
3 appointment of members; to provide for the qualification, terms, and removal of members; to
4 provide for oaths and privileges; to provide for meetings, procedures, and vacancies; ~~to relieve~~
5 ~~certain officers of powers and duties and to provide for the transfer of functions to the newly~~
6 ~~created board;~~ to provide for certain expenditures of public funds; to provide for compensation of
7 members of the board and personnel; to provide for offices and equipment; to provide for the
8 board's performance of certain functions and duties for certain municipalities; to provide for
9 related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Pursuant to subsection (b) of Code Section 21-2-40 of the O.C.G.A., there is created the Board of
13 Elections and Registration of Irwin County, hereinafter referred to as "the board." The board shall
14 have the powers, duties, and responsibilities of the superintendent of elections of Irwin County
15 under Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," ~~currently being exercised~~
16 ~~by the judge of the Probate Court of Irwin County,~~ and the powers, duties, and responsibilities of the
17 Board of Registrars of Irwin County under Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election
18 Code."

19 **SECTION 2.**

20 The terms "election," "elector," "political party," "primary," "public office," "special election," and
21 "special primary" shall have the same meanings as set forth in Chapter 2 of Title 21 of the O.C.G.A.,
22 the "Georgia Election Code," unless otherwise clearly apparent from the text of this Act; and the
23 term "commissioners" means the Board of Commissioners of Irwin County, "county" means Irwin
24 County, and "superior court" means the Superior Court of Irwin County.

25 **SECTION 3.**

26 (a) The board shall be composed of three members each of whom shall be an elector and resident
27 of the county at the time of appointment and for at least one year prior thereto, and who shall be
28 appointed as provided in this section.

29 (b) ~~One member of the board shall be nominated by the political party whose candidate for the~~
30 ~~office of Governor at the last election for such office received the highest number of votes cast for~~
31 ~~such office within the county. One member of the board shall be nominated by the political party~~
32 ~~whose candidate for the office of Governor at the last election for such office received the second~~
33 ~~highest number of votes cast for such office within the county. If there is no county executive~~
34 ~~committee of a political party, then the nomination shall be made by the local legislation~~
35 ~~delegation. Each of these two respective members nominated by political parties shall be ratified~~
36 ~~by the county executive committee of the respective political party at least 30 days before the~~
37 ~~beginning of the term of office or within 30 days after the creation of a vacancy in the office, and~~
38 ~~upon such approval, the nomination shall be immediately submitted to the Board of~~
39 ~~Commissioners of Irwin County for approval at a regular or called meeting of the Board of~~
40 ~~Commissioners. Should the board of commissioners fail to approve a nominee by a majority vote, a~~
41 ~~new nominee shall be nominated and submitted for approval in the same manner. Two members of~~
42 ~~the board shall be appointed by the commissioners, subject to approval of the Irwin County local~~
43 ~~delegation to the General Assembly.~~

44 (c) The remaining member shall be the chairperson of the board. The chairperson shall be
45 appointed by the commissioners, subject to the approval of the Irwin County local delegation to the
46 General Assembly.

47 ~~(d) The initial appointments to the board shall be made at least 30 days prior to January 1, 2014. The~~
48 ~~term of each initial member shall commence on January 13, 2014, and each such initial member~~
49 ~~shall serve until the day immediately preceding the second Monday in January of 2015. Thereafter,~~
50 ~~¶Terms shall coincide with each regular biennium of the General Assembly.~~

51 **SECTION 4.**

52 No person who holds elective public office shall be eligible to serve as a member of the board
53 during the term of such elective office, and the position of any member of the board shall be
54 deemed vacant upon such member's qualifying as a candidate for elective public office.

55 **SECTION 5.**

56 The commissioners shall certify the appointment of each member of the board by filing an affidavit
57 with the clerk of the superior court no later than 15 days preceding the date upon which such
58 members are to take office, stating the name and residential address of the person appointed and

59 certifying that such member has been duly appointed as provided in this Act. The clerk of the
60 superior court shall record each of such certifications on the minutes of the superior court and
61 shall certify the name of each such appointed member to the Secretary of State and provide for the
62 issuance of appropriate commissions to the members within the same time and in the same
63 manner as provided by law for registrars.

64 **SECTION 6.**

65 Each member of the board shall be eligible to serve successive terms, shall have the right to resign
66 at any time by giving written notice of such resignation to the appointing body and to the clerk of the
67 superior court, and shall be subject to removal from the board by the appointing body at any time,
68 for cause, after notice and hearing, in the same manner and by the same authority as provided for
69 the removal of registrars.

70 **SECTION 7.**

71 In the event a vacancy occurs in the office of any appointed member before the expiration of his or
72 her term, by removal, death, resignation, or otherwise, a successor shall be appointed to serve the
73 remainder of the unexpired term such appointment to be made in the same manner of appointment
74 as provided for such position in Section 3 of this Act. The clerk of the superior court shall be notified
75 of such interim appointments and record and certify such appointments in the same manner as the
76 regular appointment of members.

77 **SECTION 8.**

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

80 **SECTION 9.**

81 (a) The board shall be authorized to organize itself, determine its procedural rules and regulations,
82 adopt bylaws, specify policies for the functions and duties of its employees and poll workers, and
83 otherwise take such action as is appropriate to the management of the affairs committed to its
84 supervision provided, however, that no such action shall conflict with state law. Action and
85 decision by the board shall be by a majority of the members of the board. The chairperson of the
86 board shall have sole authority, within the policies established by the full board, over retention,

87 termination, and discipline of employees, as well as training of poll workers in primaries and
88 elections, such poll workers to be appointed by the chairperson.

89 (b) The chairperson shall be authorized to employ such full-time and part-time employees,
90 including poll workers, as may be deemed necessary by the chairperson and as approved in the
91 annual budget adopted by the governing authority of Irwin County.

92 (c) The board shall fix and establish, by appropriate resolution entered on its minutes, directive
93 governing the execution of matters within its jurisdiction. The board shall have regular monthly
94 meetings and shall meet not fewer than three times per year. Any specially called meeting shall be
95 called by the chairperson or any two members of the board. The board shall maintain a written
96 record of policy decisions amended to include additions or deletions. Such written records shall be
97 made available for the public to review.

98 **SECTION 10.**

99 The board shall have the authority to contract with any municipality located within Irwin County for
100 the holding by the board of any primary or election to be conducted within such municipality.

101 **SECTION 11.**

102 Compensation for the members of the board, clerical assistance, and other employees shall be
103 fixed by the commissioners. Such compensation shall be paid wholly from county funds.

104 **SECTION 12.**

105 The chairperson of the board shall be the chief executive officer of the board and shall generally
106 supervise, direct, and control the administration of the affairs of the board pursuant to law and duly
107 adopted resolutions of the board. The board shall fix and establish, by appropriate resolution
108 entered on its minutes, directives governing the execution of matters within its jurisdiction.

109 **SECTION 13.**

110 The commissioners shall provide the board with such proper and suitable offices, equipment,
111 materials, and supplies and with such clerical assistance and other employees as the
112 commissioners shall deem appropriate.

113 **SECTION 14.**

114 This Act shall become effective on ~~July 1, 2013~~ January 12, 2027. ~~On January 13, 2014, the~~
115 ~~superintendent of elections and the board of registrars shall be relieved of all powers and duties to~~
116 ~~which the board succeeds by the provisions of this Act and shall deliver to the board all equipment,~~
117 ~~supplies, materials, books, papers, records, and facilities pertaining to such powers and duties. On~~
118 ~~such date, the Board of Registrars of Irwin County shall stand abolished. All elections conducted~~
119 ~~during 2013 shall be conducted by the superintendent of elections and the board of registrars.~~

120

SECTION 15.

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