

House Bill 1470

By: Representatives Mathiak of the 74th, Bonner of the 73rd, Bazemore of the 69th, and Jackson of the 68th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide for the re-creation of the board of elections for Fayette County,
2 approved March 24, 1994 (Ga. L. 1994, p. 3712), so as to revise the composition of the
3 board; to revise provisions for appointment of board members; to provide for initial terms;
4 to provide for current board members to serve out the terms to which they were appointed;
5 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to provide for the re-creation of the board of elections for Fayette County, approved
10 March 24, 1994 (Ga. L. 1994, p. 3712), is amended by revising Section 2 as follows:

11 "SECTION 2.

12 (a) The board of elections shall be composed of five members, each of whom shall be at
13 least 21 years of age and an elector of Fayette County and each of whom shall be appointed
14 as provided in this section. Except as provided for in subsection (f) of this section, each
15 member of the board shall serve terms of four years and until their successors are duly

H. B. 1470

16 appointed and qualified. Terms of office shall begin on the first day of February following
17 the expiration of the immediately preceding term of office.

18 (b) Four members shall be appointed by the governing authority of Fayette County from
19 nominations as follows:

20 (1) Two members shall be appointed by the chairperson of the county executive
21 committee of the political party whose candidates at the last preceding general election
22 received the largest number of votes in this state for members of the General Assembly;
23 and

24 (2) Two members shall be appointed by the chairperson of the county executive
25 committee of the political party whose candidates at such election received the next
26 largest number of votes.

27 Each nominee by the political parties shall be made and certified as follows: the member
28 shall be nominated by the chairperson and ratified by the county executive committee of
29 each of the above-designated political parties at least 40 days before the beginning of the
30 term of office, or within 40 days after the creation of a vacancy in the office, and the
31 certification of the appointment of each member shall be made by the executive committee
32 filing an affidavit with the governing authority. The governing authority shall then certify
33 such appointment to the clerk of the superior court as provided in this section.

34 (c) The fifth member of the board shall be selected and appointed by the vote of a majority
35 of the judges of the Superior Court of Fayette County. The selection and appointment of
36 the fifth member of the board shall be made at least 30 days before the beginning of his or
37 her term of office, or within 30 days after the creation of a vacancy in the office, and
38 certification of the appointment of such member shall be made by the filing of an order by
39 the chief judge of the superior court with the clerk of superior court no later than 20 days
40 preceding the date on which such member is to take office, stating the name and residential
41 address of the person appointed and certifying that such member has been duly selected
42 and appointed as provided in this section.

43 (d) If the nomination of any such member of the board of elections by the political parties
44 is not made as provided in this section, such member shall be appointed forthwith by the
45 governing authority of Fayette County and, within five days after such appointment,
46 certified as provided in this Act.

47 (e) Those members of the board serving on the effective date of this section shall serve out
48 the terms to which they were appointed. The current member selected by the governing
49 authority of the county shall have his or her successor selected as provided for in
50 subsection (b) of this section.

51 (f) The initial fourth and fifth members of the board appointed pursuant to this section
52 shall be appointed pursuant to subsection (b) of this section with one such member being
53 nominated by each respective political party. Such members shall be appointed to initial
54 terms ending on January, 31, 2028."

55 **SECTION 2.**

56 This Act shall become effective upon its approval by the Governor or upon its becoming law
57 without such approval.

58 **SECTION 3.**

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