

CHAPTER 6

BOARD OF ELECTIONS

§6-101	Board Created; Membership and Qualifications
§6-102	Appointment and Removal of Members; Vacancies
§6-103	Supervisor and Clerks
§6-104	Compensation of Chairman
§6-105	Definitions
§6-106	Repealer
§6-107	Effective Date

ARTICLE I

Board of Elections

§6-101 Board Created; Membership and Qualifications.

1. The Board of Elections of Chatham County is created. The Board of Elections, hereinafter referred to in this Act as the "Board," shall be composed of five members, each of whom shall be an elector of Chatham County, a resident of said county at least two years, and at least 25 years of age at the time of assuming office.
2. As used in this Act, the term "Georgia Election Code," means Chapter 2 of Title 21 of the O.C.G.A.

§6-102 Appointment and Removal of Members; Vacancies.

1. The first members of the Board provided for by this Act shall be the five members of the Board of Elections serving in Chatham County on June 30, 1984, pursuant to an Act creating Boards of Elections in each county of this state having a population of not less than 200,000 nor more than 250,000 according to the United States decennial census of 1980 or any future such census, approved April 18, 1973 (Ga. L. 1973, p. 3697), as amended, by an Act approved March 28, 1974 (Ga. L. 1974, p. 3530), an Act approved March 16, 1978 (Ga. L. 1978, p. 3778), an Act approved April 11, 1979 (Ga. L. 1979, p. 3604), and by an Act approved April 12, 1982 (Ga. L. 1982, p. 3940). The members serving pursuant to the Act cited above shall serve until December 31, 1986. Successors shall be elected as provided in subsection (2) of this section.
2. The two political parties which received the highest votes cast for Governor at the 1982 general election shall each conduct an election at the 1986 general primary for the election of two members of the board. The candidates for each of said parties shall qualify to run in the primary in accordance with the rules prescribed for the election of political party candidates in the Georgia Election Code. The winners of each of the primaries of the political parties and runoff if necessary shall take office as members of the Board on January 1, 1987, for terms of four years and until their successors are elected and qualified. Such winners shall be certified by the Board in office at the time of the primaries to the clerk of the superior court of Chatham County and to the Secretary of State. Such winners, upon taking office, shall take an oath substantially the same as the oath required by law for county registrars to take office. Thereafter, pursuant to the same procedures and requirements

set forth in this subsection, successors shall be elected at the general primary and runoff if necessary immediately preceding the expiration of terms of office and shall take office on the first day of January immediately following their election for terms of four years and until their successors are elected and qualified.

3. The four members of the board elected as provided in subsection (2) of this section, shall appoint a fifth member, who shall be the chairman of the board. The term of office of the chairman shall coincide with the terms of office of the elected members of the board as provided for in subsection (2) of this section. The elected members of the board shall appoint the chairman within 30 days following their election. If, at the end of such 30 day period, such members have not been able to agree upon the appointment of a chairman, the chairman shall be appointed by a committee composed of the senior superior court judge of the Eastern Judicial Circuit, the Chairman of the Board of County Commissioners of Chatham County, the judges of the State Court of Chatham County, the foreman of the Grand Jury of Chatham County, and the chairman of the Grand Jury Conference Committee of Chatham County.
4. No member of the board shall preside over any general or special primary, election, or runoff in which the member is an opposed candidate for office other than as a candidate for reelection to membership on the board. If a member shall be so disqualified, then the executive committee of the political party which elected the member shall appoint a interim member who is not a candidate in said primary to serve until the successor is elected and qualified. If the chairman of the board shall be so disqualified, the interim appointment shall be by the governing authority of Chatham County, but for no longer than ten days immediately following the next general primary or runoff if one is necessary. Such interim chairman shall serve until a successor is chosen and qualified.
5. No person who holds elective or appointive office, or is a salaried employee of the governing authority of Chatham County or of a municipality located within said county, or any member of the Board of Education of Chatham County, or any member of any commission appointed by the governing authority or any municipality located within Chatham County, shall be eligible for appointment or election to the Board if the person has so served within three months immediately preceding the person's becoming a member of the board in the case of the chairman or within three months immediately preceding the person's qualifying to run for any position on

the board in the case of members other than the chairman; provided, however, any member of the board shall be eligible for reelection to the board.

6. In the event any vacancy shall occur for any reason, the party which elected the member in which the vacancy shall occur shall appoint a qualified person to fill the vacancy for the unexpired term. In the event any vacancy shall occur for any reason in the office of chairman, the remaining members of the board shall appoint a chairman within 30 days following the occurrence of the vacancy. If, at the end of such 30 day period, such members have not been able to agree upon the appointment of a chairman, the chairman shall be appointed by the same committee specified by subsection (3) of this section to appoint the chairman when the other members of the board fail to act.
7. A member of the board may be removed from office for misfeasance or malfeasance in office on the grounds of and in the manner prescribed for the removal of clerks of the superior court as provided in Code Section 15-6-82 of the O.C.G.A.

§6-103 Supervisors and Clerks.

1. There shall be two chief administrative officers who shall be appointed by the board. Such persons shall be designated "election supervisors." Said election supervisors shall possess the same qualifications provided for board members in Section 6-101 of this Act. The election supervisors shall serve at the pleasure of the board, except that the board may not replace the election supervisors within 30 days of any primary, referendum, or election unless the election supervisors shall have such duties and responsibilities as shall be prescribed by the board by rules and regulations which shall be inconsistent with the provisions of the Georgia Election Code. The board shall fix the compensation and benefits of the election supervisors.
2. The board shall employ such clerical assistants as is provided before by the governing authority of Chatham County within the budget approved pursuant to paragraph (11) of Code Section 21-2-70 of the O.C.G.A.

§6-104 Compensation of Chairman. The salary of the Chairman of the Board shall be not less than \$4,800.00 per annum, the exact amount to be fixed by the governing authority of Chatham County; the salary of each of the four members shall be not less than \$2,400.00 per annum, the exact amount to be fixed by the governing authority of Chatham County. The

governing authority of Chatham County shall be authorized to provide funding for salaries and employment benefits as are afforded other employees of the governing authority.

§6-105 Definitions. Whenever any word used in this Act is defined by Code Section 21-2-2 of the Georgia Election Code, such word shall have the meaning therein defined, and any interpretation of this Act shall be governed by the Georgia Election Code. It is the intention of this Act to implement and carry out the authority provided by Subsection (b) of Code Section 21-2-40 of the Georgia Election Code.

§6-106 Repealer. An Act creating boards of elections in each county of this state having a population of not less than 200,000 nor more than 250,000 according to the United States decennial census of 1980 or any future such census, approved April 1973 (Ga. L. 1973, p. 3697), as amended, by an Act approved March 28, 1974 (Ga. L. 1974, p. 3530), an Act approved March 16, 1978 (Ga. L. 2978, p. 3778), an Act approved April 11, 1979 (Ga. L. 1979, p. 3604), and by an Act approved April 12, 1982 (Ga. L. 1982, p. 3940) is repealed in its entirety.

§6-107 Effective Date. This act shall become effective on July 1, 1984 (1984 Ga. Laws 5197).