

**DEKALB COUNTY, GEORGIA
BOARD OF REGISTRATION AND ELECTIONS**

BOARD BYLAWS

I. NAME AND AUTHORITY

The DeKalb County Board of Registrations and Elections ("the Board") has been created by the Georgia General Assembly, pursuant to Georgia Laws, 2003, p. 4200, § 1 and O.C.G.A. § 21-2-40.

II. POWERS AND DUTIES

The Board's powers and duties include but are not limited to the following: to conduct primaries and elections, the registration of voters, and the administration of absentee balloting.

III. MEMBERSHIP *(Amended pursuant to SB # 246 – attached)*

- (a) **Five members:** The Board shall be composed of five (5) members, each of whom is an elector and resident of Dekalb County.

The members will be appointed as follows: two (2) members shall be appointed by the chairperson of the county executive committee of the political party whose candidates at the last preceding regular general election held for the election of all members of the General Assembly received the largest number of votes in this state for members of the General Assembly; two (2) members shall be appointed by the chairperson of the county executive committee of the political party whose candidates at such election received the next largest number of such votes; the fifth member of the board shall be appointed by a majority vote of the four (4) party-appointed members of the board; the fifth member so selected shall be deemed to be a "member at large."

- (b) **Restrictions on Membership:** No person who holds public office, whether elective or appointive, shall be eligible to serve as a member of the board during the term of such office, and the position of membership of any member shall be deemed vacant upon such member qualifying as a candidate for any elective public office. Also, neither the elections supervisor nor the acting elections supervisor shall be eligible to serve as a member of the board, nor shall either of them be appointed or elected to serve as a member of the board.

IV. TERMS OF BOARD MEMBERS.

- (a) Two years: Each appointed or elected member shall serve for a term of two (2) years and until his or her successor is appointed or elected and qualified, except in the event of resignation or removal.
- (b) Succession and Resignation: Each appointed member shall be eligible to succeed himself or herself and have the right to resign at any time by giving written notice of his or her resignation to the respective appointing or electing authority and to the clerk of the superior court.
- (c) Removal: Each member shall be subject to removal from the board at any time for cause, after notice and hearing, in the same manner and by the same authority as is provided for the removal of registrars under Georgia law.

V. OFFICERS OF THE BOARD

- (a) Names and Duties: The officers of the Board shall be the Chairperson (the "chair") and the Vice-Chairperson (the "vice-chair".) It shall be the duty of the Chairperson to preside over monthly meetings of the Board and all other special call meetings. The Chairperson shall have the authority to call meetings of the Board as deemed necessary to accomplish and fulfill the powers vested in the Board. It shall be the duty of the Vice-Chairperson to preside over monthly meetings of the Board and all other special called meetings when the Chairperson is absent.
- (c) Selection of officers: Every two years, the five member board shall select from its membership a chair and a vice-chair. The process for this selection of officers commences every two years on July 1. Selection of officers is solely within the discretion of a majority of the Board.

VI. MEETINGS OF THE BOARD

- (a) Monthly: The board shall hold regular monthly meetings. The chairperson will preside over these meetings and the vice-chairperson will preside in the absence of the chairperson. Any special called meetings shall be held only after written notification of the time and place of such meeting has been communicated in writing as required under Georgia law.
- (b) Public: All meetings shall be open to the public and minutes of such meeting shall be taken and maintained and shall be available for inspection in the manner provided by law. "Comments from the Public" will be placed on the agenda immediately following "Approval of Minutes." There will be a two minute limit per person not to exceed a total of 16 minutes for the public comment period.
- (c) Quorum: A majority of the members of the board shall constitute a quorum. No official action shall be taken except upon the affirmative vote of majority of the members of the Board.

- (d) Parliamentary Authority: Robert's Rule of Order is designated as the basic parliamentary authority of the board.
- (e) Agenda of Board Meetings: The Director shall solicit items for discussion from board members and prepare the agenda, including any matters that the supervisor determines shall be considered by the board. This list shall be provided to the Board prior to Board meetings, guided by the following provisions:
 - 1. Form of Agenda. Each agenda item shall describe the nature of the action required by the board or shall be identified as a matter for information purposes only. With each item on the agenda, the board shall receive such material as is necessary to ensure their understanding of the matter.
 - 2. Minutes. The minutes shall accurately reflect all decisions of the board including the substance of any motion, and the identity of the person making the motion and seconding it.

VII. PUBLIC HEARINGS

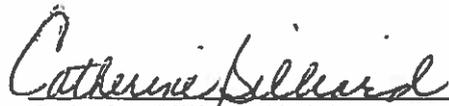
All public hearings on matters before the board pursuant to the exercise of its powers and duties shall conform to the requirements of Georgia law. The subject matter of any public hearing shall be described on the Agenda.

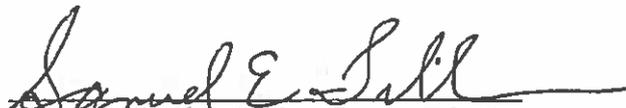
VIII. ADOPTION, AMENDMENT AND SUSPENSION

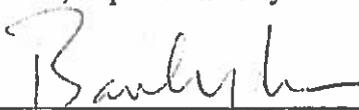
- (a) Adoption: The adoption of these Board's bylaws and standing rules of procedure is authorized by the laws of the Georgia General Assembly.
- (b) Amendment: The Board bylaws and standing rules of procedure may be amended. Bylaws and standing rules of procedure may be amended by the affirmative vote of a majority of the full membership of the Board, provided that notice of the intent to amend and the substance of the amendment shall have been distributed in writing to each member of the Board at a prior meeting of the Board.
- (c) Suspension: These bylaws and standing rules of procedure may be suspended by a majority vote of the board.

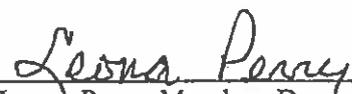
Adopted by the Board of Dekalb County Registration and Elections,

This 8th day of August, 2013


Catherine Gilliard, Chair/
Member, Republican Party


Samuel Tillman, Member, Democratic Party


Baoky Vu, Member, Republican Party


Leona Perry, Member, Democratic Party


Michael Coveny, Member At Large

Senate Bill 246

By: Senators Henson of the 41st, Butler of the 55th and Jones of the 10th

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act to provide for the DeKalb County Board of Registration and Elections,
2 approved June 3, 2003 (Ga. L. 2003, p. 4200), as amended, so as to provide that board
3 members shall be appointed by the chief judge of the superior court; to provide for the
4 nomination of potential board members; to update provisions regarding the certification of
5 members appointed to the board; to provide for the selection of a chairman; to provide for
6 related matters; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act to provide for the DeKalb County Board of Registration and Elections, approved
11 June 3, 2003 (Ga. L. 2003, p. 4200), as amended, is amended by revising Section 2 as
12 follows:

13 ***SECTION 2.**

14 (a) Such board shall be composed of five members. Each member of the board shall be
15 an elector and a resident of the county and shall be appointed by the chief judge of the
16 superior court of DeKalb County.

17 (b) Four of the five members of the board shall be appointed by said chief judge from
18 nominees selected in the following manner:

19 (1) Two members of the board shall be nominated by the county executive committee
20 of the political party whose candidate for the office of Governor at the last election for
21 such office received the highest number of votes cast for such office within DeKalb
22 County; and

23 (2) Two members of the board shall be nominated by the county executive committee
24 of the political party whose candidate for the office of Governor at the last election for

25 such office received the second highest number of votes cast for such office within
26 DeKalb County.

27 (c) The fifth member of the board, to be known as the member at large, shall be appointed
28 by said chief judge, but shall not have been a person nominated pursuant to subsection (b)
29 of this section.

30 (d) The county executive committee of a political party making a nomination pursuant to
31 subsection (b) of this section shall nominate potential board members at least 30 days prior
32 to the beginning of the term of office to be filled, or within 30 days of the creation of a
33 vacancy in the office to be filled. In the event that a political party entitled to make a
34 nomination pursuant to subsection (b) of this section does not have an active and
35 functioning county executive committee, the state executive committee of such political
36 party shall make the nomination.

37 (e) The chief judge of the superior court of DeKalb County may reject any nominee for
38 appointment to the board and the political party that nominated such rejected nominee shall
39 nominate another qualified person."

40 **SECTION 2.**

41 Said Act is further amended by revising Section 4 as follows:

42 **"SECTION 4.**

43 The appointment of each member of the board shall be made by the chief judge filing an
44 order with the clerk of the superior court that states the name and residential address of the
45 person appointed and certifying that such member has been duly appointed as provided in
46 this Act. The clerk of the superior court shall record each such order on the minutes of the
47 court and shall certify the name of each member appointed to the Secretary of State and
48 provide for the issuance of appropriate commissions to the members as provided by law
49 for registrars."

50 **SECTION 3.**

51 Said Act is further amended by revising Section 5 as follows:

52 **"SECTION 5.**

53 The chairman of the board shall be elected by a majority of the members of the board."

54 **SECTION 4.**

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

57

SECTION 5.

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

Draft Bylaw Revisions

DEKALB COUNTY, GEORGIA
BOARD OF REGISTRATION AND ELECTIONS

I. NAME AND AUTHORITY

Unchanged from existing bylaws

II. ~~POWERS AND DUTIES~~ PURPOSE AND DUTIES

- a. Purview. The Board's purpose and duties include but are not limited to:
- i. Carrying out registration and elections-related responsibilities as specified by state and local law
 - ii. Ensuring that all elections and related activities in DeKalb County are conducted in accordance with the spirit and the letter of applicable federal, ~~and~~ state, ~~and local~~ laws such that they are free, impartial, fair, accurate, convenient, accessible, credible and trustworthy in the eyes of the public
 - iii. Educating the public and increasing public awareness of upcoming elections, where and how to cast votes, and voter registration; ensuring voters, candidates, and the media receive excellent customer service from the Department
 - iv. Appointing, overseeing, evaluating, and/or removing the Director of the Department of Voter Registration & Elections as necessary or appropriate
 - v. Determining and adopting procedural rules and regulations for the Department; adopting bylaws; specifying policies for the functions and duties of Department employees, custodians, independent contractors, and poll workers; and taking such actions as is necessary and appropriate to the management of the affairs committed to the Department's supervision as well as the affairs of the Board
 - ii.vi. Providing budget and resource oversight and advocacy for the department to ensure such that the Department has sufficient operating capacity
 - iii.vii. In partnership with the Director, establishing high-level priorities and/or goals for areas and activities under the Board's purview
- b. Training. In order to effectively carry out its purpose and duties, Board members shall ~~make every effort to~~ obtain relevant annual training provided by the Secretary of State ~~or such other training as determined relevant by the Board for the purpose of carrying out its duties (including, but not limited to, the annual conference held by the Georgia Association of Voter Registration and Election Officials (GAVREO))~~. At minimum, the Director and one member of the Board shall participate in such training ~~to ensure compliance with state law~~. Fees and travel costs for such training shall be paid by the Department in accordance with DeKalb County policies.

III. MEMBERSHIP

- ~~a. Unchanged from existing bylaws~~ The Board shall be composed as set forth in Georgia Laws 2003, p. 4200, Section 2, as the same may be amended from time to time. Any conflict between Georgia Laws 2003, p. 4200, Section 2 and these bylaws shall be resolved in favor of Section 2. At the time of the adoption of these bylaws, Georgia Laws, 2003, p. 4200, Section 2 provides as follows:~~Unchanged from existing bylaws~~
- i. Such board shall be composed of five members. Each member of the board shall be an elector and a resident of the county and shall be appointed by the chief judge of the superior court of DeKalb County.
 - ii. Four of the five members of the board shall be appointed by said chief judge from nominees selected in the following manner:
 1. Two members of the board shall be nominated by the county executive committee of the political party whose candidate for the office of Governor at the last election for such office received the highest number of votes cast for such office within DeKalb County; and
 2. Two members of the board shall be nominated by the county executive committee of the political party whose candidate for the office of Governor at the last election for such office received the second highest number of votes cast for such office within DeKalb County.
 - iii. The fifth member of the board, to be known as the member at large, shall be appointed by said chief judge, but shall not have been a person nominated pursuant to subsection (ii) of this section.
 - iv. The county executive committee of a political party making a nomination pursuant to subsection (ii) of this section shall nominate potential board members at least 30 days prior to the beginning of the term of office to be filled, or within 30 days of the creation of a vacancy in the office to be filled. In the event that a political party entitled to make a nomination pursuant to subsection (ii) of this section does not have an active and functioning county executive committee, the state executive committee of such political party shall make the nomination.
 - v. The chief judge of the superior court of DeKalb County may reject any nominee for appointment to the board and the political party that nominated such nominee shall nominate another qualified person.
- ~~a.b. Unchanged from existing bylaws~~ Eligibility of members shall be determined as set forth in Georgia Laws 2003, p.4200, Section 3, as the same may be amended from time to time. Any conflict between Georgia Laws 2003, p. 4200, Section 3 and these bylaws shall be resolved in favor of Section 3. At the time of the adoption of these bylaws, Georgia Laws 2003, p. 4200, Section 3 provides as follows: No person who holds public office, whether elective or appointive, shall be eligible to serve as a member of the board during the term of such office, and the position of membership of any member shall be deemed

vacant upon such member qualifying as a candidate for any elective public office. Neither the acting elections supervisor nor the elections supervisor shall be eligible to serve as a member of the board, nor shall either of them be appointed or elected to serve as a member of the board.*Unchanged from existing bylaws*

IV. TERMS OF BOARD MEMBERS

(a) Terms of board members shall be as set forth in Georgia Laws 2003, p. 4200, Section 6, as the same may be amended from time to time. Any conflict between Georgia Laws 2003, p.4200, Section 6, and these bylaws shall be resolved in favor of Section 6. At the time of the adoption of these bylaws, Georgia Laws 2003, p.4200, Section 6 provides as follows:

Each appointed or elected member of the board shall

(i) serve for a term of two (2) years and until his or her successor is appointed or elected and qualified, except in the event of resignation or removal as hereinafter provided;

(ii) be eligible to succeed himself or herself and have the right to resign at any time by giving written notice of his or her resignation to the respective appointing or electing authority and to the clerk of the superior court.

~~b. Unchanged from existing bylaws~~

~~c. Unchanged from existing bylaws~~

a. iii. Specify causes for which a Board member shall be subject to removal

~~IV.V.~~ OFFICERS OF THE BOARD

- a. Names. The officers of the Board shall be the Chairperson (the "Chair") and the Vice-Chairperson (the "Vice-Chair").
- b. Selection of Officers. *Unchanged from existing bylaws*
- c. Duties of the Chair. It shall be the duty of the Chair to:
 - i. Preside over monthly meetings of the Board and all other Special Called meetings. The Chair shall have the authority to call meetings of the Board as deemed necessary to accomplish and fulfill the powers vested in the Board.
 - ii. Approve the agenda for Board meetings.
 - iii. Convey the Board's directives and policies to the Director and ensure they are carried out.
 - iv. Serve as spokesperson for the Board in accordance with Board directives.
 - v. Coordinate the Director's annual performance evaluation.
- d. Duties of the Vice-Chair. It shall be the duty of the Vice-Chair to preside over meetings of the Board in the absence of the Chair.

~~V.VI.~~ COMMITTEES OF THE BOARD

- a. Budget Committee. The Budget Committee shall be a standing committee of the Board, consisting of the Chair and one additional member determined by a majority vote of the Board. This committee shall have the responsibility of meeting with the Director to review the annual and midyear budgets, ensuring the budget aligns with Board directives, and advocating for resources for the

Department. Additionally, one or both members of this committee may attend appropriate internal County meetings and relevant meetings of the County Commission on behalf of the Board. The existence of this committee shall not preclude any other Board member from receiving updates or details on the budget; however, non-committee members may not attend non-public meetings of the committee in order to prevent establishing a quorum.

- b. Additional Committees. In order to fulfill ~~its~~ the Board's purpose and duties, the Chair may establish one or more committees with the concurrence of a majority of the Board. The Board may also elect to designate one or more Board members to serve on outside committees as representatives of the Board.

VI.VII. MEETINGS OF THE BOARD

- a. Monthly. The Board shall hold regular monthly meetings at a date and time agreed upon by a majority of the Board.
- b. Special Called. The Board may hold other such meetings as may be necessary at the request of the Chair, or any two members of the Board, in accordance with notice requirements in Georgia law.
- c. Public. All meetings shall be open to the public. Public Comment shall immediately follow Approval of Minutes on the Board agenda, or prior to the commencement of any old business or new business. Each speaker must sign up for public comment in the manner directed prior to the start of Public Comment and may speak for up to two minutes. Individual speaking time may be extended with the concurrence of a majority of the Board, provided that it is extended uniformly for all speakers. If public comments are expected to exceed 30 minutes, the Chair may limit the total number of speakers with the concurrence of a majority of the Board. Speakers shall not be required to read their addresses into the public record in order to participate.
- d. Quorum. A simple majority of the members of the Board shall constitute a quorum. No official action shall be taken except upon the affirmative vote of a majority of the members of the Board.
- e. Parliamentary Authority. Robert's Rules of Order shall provide the parliamentary framework of the Board.
- f. Agenda of Board Meetings. The Director shall solicit items for discussion from Board members, including matters the Director deems necessary for consideration by the Board. The agenda shall be approved by the Chair and provided to Board members no less than 48 hours prior to the meeting.
 - i. Form of Agenda. Each agenda item shall describe the nature of the action required by the Board or shall be designated as informational only. Any such material as is necessary to understanding an agenda item shall be provided to Board members with the agenda.
 - ii. Posting. Agendas for monthly meetings shall be made publicly available in accordance with applicable Georgia law but not less than 48 hours prior to the meeting. Such posting shall include all supplemental materials not deemed privileged by the County Attorney.

- iii. Minutes. Minutes of all meetings shall be taken and made available for inspection in accordance with Georgia law. At minimum, the minutes shall include the substance of any motion, the names of those who made and seconded the motion, and a breakdown of the vote. The minutes shall additionally include the names of Public Comment speakers, a summary of key points discussed in each agenda item, and any follow-up or action items requested by Board members. A verbatim recording of the meeting shall be made publicly available alongside the written minutes.

~~VII~~.VIII. EMPLOYEES

- a. Superintendent. The Board hereby delegates the powers and authorities of the superintendent of elections and the board of registrars to the Director. The Board acknowledges its ultimate responsibility for the discharge of these powers and duties.
- b. Director. The Director, [identified in Georgia Laws 2003, p. 4200, Section 15 as the "election supervisor,"](#) is appointed by and accountable to the Board.
 - i. Purview. The Director is authorized and has the duty to manage the employees and operations of the Department. These responsibilities include, but are not limited to, the management of all elections-related processes; support of and collaboration with the Board; oversight of employees and related human resources duties; management of Department budget and related duties; and engagement with stakeholders, partners, [media](#), and members of the public.
 - ii. Employment. The Director may be appointed or removed by a majority vote of the Board in accordance with applicable [DeKalb County human resource policies and applicable](#) laws.
- c. Limitations. No individual member of the Board shall direct or discipline any employees under the purview of the Director. The Chair may exercise supervision of employees only in the absence of the Director or their designee, which shall cease upon return of the Director or their designee.