

**BYLAWS OF THE
BOARD OF ELECTIONS AND VOTER REGISTRATION
Jackson County, Georgia**

Article 1: Authority of The Board

The Jackson County Board of Elections and Voter Registration (“The Board”) was established by House Bill 551 in 2011, and expanded to five members by House Bill 161 in 2019.

The Board has all powers, duties, and responsibilities of the superintendent of elections of Jackson County and the powers, duties, and responsibilities of the Board of Registrars of Jackson County under the Georgia Election Code Annotated (“The Code”) in Chapter 2 of Title 21 of the Official Code of Georgia Annotated.

Article 2: Mission

The Board’s mission is to serve Jackson County with a secure, effectively managed, and accurate voter registration and election system dedicated to encouraging maximum participation by all eligible Jackson County residents.

Article 3: Purpose of The Board

The Board will enforce strict adherence to all current Federal, State, and Local laws as well as State Election Board rules and regulations concerning registration to vote and voting, and will serve Jackson County residents in election related matters.

The Board is responsible for conducting all county, state, and federal elections that are held in Jackson County, as well as elections for the local municipalities as contracted.

Article 4: Membership

The Board is composed of five members: a chairperson (“The Chair”), and four board members. Each will be a registered voter in Jackson County and will have resided in the county for a minimum of one year prior to appointment.

No person who holds elective public office will be eligible to serve as a member of The Board during the term of elective office, and the position of any member of The Board will be deemed vacant upon such member’s qualifying as a candidate for elective public office or giving notice of his or her intention of a write-in candidacy. This does not apply to any member for holding office as a presidential elector or applying and running to be a presidential elector.

No person who holds office in a political party at any level of such political party will be eligible to serve as The Chair during his or her term of political party office, and the position of The Chair will be deemed vacant upon The Chair's assuming a political party office.

All board members:

- (1) Must take an oath of office;
- (2) Must not, when exercising their official functions, act in a partisan manner;
- (3) While conducting the duties of his or her office, cannot engage in any political activity on behalf of a candidate, question, or political party or body that appears or will appear on a Jackson County ballot; examples include:
 - (a) Distributing campaign literature;
 - (b) Engaging in any communication that advocates or criticizes a particular candidate, officeholder, or political party or body;
 - (c) Wearing badges, buttons, or clothing with partisan messages;
 - (d) Displaying political signs or messages on vehicles if the sign or message is visible from or parked within 150 feet of the Board office or any polling place within Jackson County.
- (4) Will be mindful of social media posts of a political nature and how they reflect upon The Board (nothing in this requirement is meant to restrict a board member's First Amendment rights);
- (5) Must pass a criminal background check.

A Supervisor ("The Supervisor") will be appointed or hired by the Jackson County Board of Commissioners to carry out all supervisory duties in matters of elections and voter registration, as well as managing the day-to-day duties of The Board and the Elections and Voter Registration Office. The Supervisor will have the power to sign for The Board in all matters relating to elections and voter registration that do not require a quorum or public meeting. The Supervisor will be responsible for managing and assigning duties to office staff ("The Staff"). The Board will have the power to designate and amend the duties of The Supervisor as it sees fit, and The Supervisor will be directly accountable to The Board. The Supervisor will NOT be a member of The Board or an elected official.

Article 5: Appointment of Board Members

All members of The Board will be appointed by the Chief Judge of the Superior Court of Jackson County.

Two members of The Board will be nominated by 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 Jackson County.

Two members of The Board will be nominated by 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 Jackson County.

Each of the four members nominated by political parties will be nominated by the county executive committee of the respective political party at least 30 days before the beginning of the term of office or within 30 days after the creation of a vacancy in the office; upon approval, the nomination will be immediately submitted to the Chief Judge of the Superior Court for approval and appointment.

Should the Chief Judge refuse to approve and appoint any nominee, a new nominee will be nominated and submitted for approval and appointment in the same manner.

In the event that a political party entitled to make nominations under this section does not have an active and functioning county executive committee, the nominations will be made by the state executive committee of the political party.

The remaining member of The Board will be appointed by the Chief Judge of the Superior Court of Jackson County and will serve as The Chair.

Article 6: Terms of Office

One member from each political party will each serve a term expiring December 31, 2020, and upon the appointment and qualification of his or her successor. The Chair and the remaining members from each political party will serve a term expiring December 31, 2022, and upon appointment and qualification of his or her successor.

Successors to the members of The Board whose terms are to expire will be appointed to take office on the first day of January immediately following the expiration of such terms of office and will serve for terms of four years each and until their successors are duly appointed and qualified. The Board will take no official action until all members have been certified to the Clerk of the Superior Court of Jackson County.

Each member of The Board will be eligible to serve successive terms, and will have the right to resign at any time by giving written notice of such resignation to the Chief Judge of Jackson County and to the Clerk of the Superior Court of Jackson County.

In the event a vacancy occurs in the office of any appointed member before the expiration of the member's term (by removal, death, resignation, moving from Jackson County, or otherwise), a successor will be appointed to serve the remainder of the unexpired term. Such appointment is to be made in the same manner of appointment as provided for in Article 5 of these Bylaws. The

Clerk of Superior Court will be notified of such interim appointments and record and certify such appointments in the same manner as the regular appointment of members.

Before taking office, each member will take substantially the same oath as required by Section 21-2-214(d) of The Code for registrars.

As provided by Section 21-2-214(e) of The Code, members of The Board will be privileged from arrest upon days of primaries and elections, except for fraudulent misconduct of duty, felony, larceny, or breach of the peace.

Article 7: Removal from Office

Board members will be subject to removal from The Board by the Chief Judge of the Superior Court of Jackson County at any time, for cause, after notice and hearing, in the same manner and by the same authority as provided for the removal of registrars.

Board members may be recommended for removal from The Board as follows:

- (1) Failure to attend three consecutive regular monthly meetings of The Board without sufficient excuse; or
- (2) Failure to attend five regular meetings in a twelve month period without sufficient excuse; or
- (3) Failure to be available as needed on Election Day until such time as the vote totals can be certified and submitted to the Secretary of State, especially where the same prevents or delays the certification.

Article 8: Duties of Board Members

The Chair will be the chief executive officer of The Board and will generally supervise, direct, and control the administration of and the affairs of The Board pursuant to law and duly adopted Bylaws and resolutions of The Board. The Chair will be the spokesperson for The Board in all public matters.

The longest-tenured member of The Board will be designated second-in-command and will carry out the required duties of The Chair in the absence of The Chair.

The Board will exercise all powers granted to it by The Code to facilitate the smooth and proper execution of elections and registration, and will diligently oversee the duties imposed upon it by The Code.

The Board will oversee that all valid applications are received and approved for voter registration in a timely manner; if necessary, The Board will hold hearings to determine the validity of applications.

The Board will appoint Deputy Registrars as needed to carry out the duty of voter registration.

Consistent with The Code, The Board will be available when needed to provide citizens with the opportunity to register to vote.

The Board will oversee the preparation of lists of qualified electors for the county as well as for municipalities in the county when necessary.

The Board will approve additional sites and hours for off-site voter registration as requested by groups in the county, and will see that The Supervisor has provided training and certification for said groups.

The Board, in combination with The Supervisor and The Staff, will see that all necessary duties of absentee voting, in-person voting, and mail voting are performed as prescribed by The Code.

The Board will ensure that The Supervisor and The Staff have selected and equipped polling places to facilitate elections.

The Board will ensure that The Supervisor and The Staff have selected and trained all necessary polling place officers in accordance with The Code.

The Board will ensure that The Supervisor and The Staff have appropriately purchased, preserved, stored, and maintained all necessary election equipment.

The Board will ensure that The Supervisor and The Staff have published all necessary public notices pertaining to elections and voter registration in accordance with The Code.

The Board will ensure that The Supervisor acts as the Filing Officer for all official Ethics and Campaign Disclosure documentation for elected officials in the county, whether submitted on paper or electronically.

The Board will make rules, regulations, instructions, and amendments to these Bylaws (consistent with The Code) that it deems necessary for the efficient and effective conduct of official duties pertaining to elections and voter registration; any such enactments or changes will be made by majority vote. This may include rules and regulations promulgated by the State Election Board.

The Board will have the power to contract with municipalities for the holding of elections in those municipalities.

The Board will retain the power to make personnel decisions, unless otherwise directly dictated or designated to The Supervisor in specific situations.

The Board will receive and act upon all petitions by electors or the county executive committee of a political party for the division, redivision, alteration, change, or consolidation of precincts.

The Board will establish, by appropriate resolution entered on its minutes, directives governing the execution of matters within its jurisdiction.

The Board will expend the time and effort necessary to ensure that they fully understand their duties and obligations as members of The Board and generally understand important concepts in the administration of elections, such as: the process to register to vote, the purpose of provisional voting, general information pertaining to the current voting systems, the absentee ballot process, required forms of identification, and sensitive election deadlines.

The Board will provide these services and carry out these duties in a fair, efficient, effective, uniform, and non-discriminatory manner for the residents of Jackson County.

Article 9: Meetings

The Board will hold regular monthly meetings on the second Wednesday of the month at 9:00 a.m., with the exception of months containing an election date; in months containing an election date, the meeting will be held on Election Day. All meetings will be advertised in accordance with the Georgia Open Meetings Law. (O.C.G.A. § 50-14-1 *et. seq.*).

On Election Days, all members of The Board will make themselves available while the polls are open and until the election results for Jackson County are certified.

Special meetings may be called by The Chair or any two members of The Board.

Where meetings are not held on a previously designated day, time, or place, all Board members will be provided notice by mail or e-mail at least five (5) days in advance of the meeting; however, the notice requirement may be waived by individual board members, or may be shortened where Board action in less than five (5) days is necessary for compliance with any provisions of law or regulation.

Board members are expected to attend all meetings of The Board. The Supervisor, or a designee, should be present at all meetings. If a member cannot attend a meeting, prior notice should be given to The Chair or The Supervisor.

All meetings must be open to the public except when considering court action or when dealing with personnel matters.

Meetings will be governed by the current edition of Robert's Rules of Order where applicable and when not inconsistent with The Code, the rules and regulations of the State Election Board, these Bylaws, and any special rules of order The Board may adopt.

Article 10: Voting

Actions and decisions by The Board will be by a majority of The Board members present at any regular or specially called meeting.

A quorum will consist of three members.

The Chair will be a voting member of The Board and will have the same privileges as all other members to make and second motions or nominations.

Before each vote, The Chair may ask the public for questions or comments.

Article 11: Compensation

Compensation for members of The Board, The Supervisor, and other employees will be fixed by the Board of Commissioners in accordance with requirements of State Law. Such compensation will be paid from county funds.

Article 12: Board Records

The Board will have prepared and maintain written minutes of all meetings and a record of policy decisions amended to include additions and deletions. Agendas and minutes will be made available to the public for viewing at the Elections Office and on the website.

Article 13: Municipal Elections

Municipalities located within Jackson County may by ordinance authorize The Board to conduct its elections as necessary, upon agreement with The Board.

The Board will perform all duties as superintendent of elections as specified in Code Section 21-2-45(c).

The Board may lease or loan any or all of its election equipment to the municipality and will not be responsible for the actual conduct of the municipal election unless contracted to do so.

Municipalities will pay all costs incurred in performing those functions that The Board is to perform and The Board only has authority to conduct those functions specifically spelled out in the contract.

Article 14: Court Action

By majority vote, The Board will have the authority to institute or intervene in any court action to compel compliance with The Code or the duly adopted Rules and Regulations of The Board.

The Board may, upon majority vote, call upon the County Attorney of Jackson County to institute or intervene in such court action, or when any legal question is raised by The Board that cannot be resolved by The Board.

Upon receipt of any copy of a proceeding required to be served upon The Supervisor, The Supervisor will immediately forward said service copy to the County Attorney and will provide

copies to The Board. In such cases, and after consulting with as many members of The Board available, and where the situation requires emergency action, The Supervisor will be authorized, without the necessity of a meeting, to request the County Attorney to take appropriate action. In all other instances where time is not of the essence and emergency action is not required, then a meeting of The Board will be called to decide the course of action.

Article 15: Amendment to Bylaws

These Bylaws may be amended or supplemented by majority vote of The Board. Notice of any change or addition to the Bylaws will be given in advance of called meetings wherever practicable.

Article 16: Conflict of Rules

If a provision of these Bylaws is or becomes illegal, invalid, or unenforceable, that will not affect other provisions of these Bylaws.


To the extent that any existing policies or procedures will conflict with any provisions herein, such policy or procedure will be void and these rules will have full force and effect.


APPROVAL

The foregoing Bylaws are unanimously approved by the undersigned members, and shall replace and supersede any and all previous Bylaws of The Board.

This 6TH day of DECEMBER, 2019.


Eric C. Crawford, Chair


Jennifer Logan, Supervisor


Erma Denney, Board Member


Larry Ewing, Board Member


Judy McNichols, Board Member


Theresa Tate, Board Member