

BYLAWS

BOARD OF REGISTRATION AND ELECTIONS FULTON COUNTY, GEORGIA

ARTICLE I

Purpose

These Bylaws are adopted by the Board of Registration and Elections of Fulton County, Georgia (the "Board"), to provide operational and ethical guidance to assist the Board and its members in the accomplishment of the following duties and responsibilities:

- To carry out the Board's obligations under state and local law;
- To select, support and periodically assess the performance of the executive director (the "Director") of the Department of Registration and Elections of Fulton County (the "Department");
- To provide financial oversight for the Department, and to advocate for resources sufficient to carry out the Department's obligations;
- To ensure that elections administered by the Department comply with applicable federal and state law and are worthy of the public's trust;
- To articulate the Department's goals and accomplishments to the public and to the elected bodies to which the Department answers so that the public and elected officials maintain confidence in elections administered by the Department.

ARTICLE II

Officers

Section 1. The officers of the Board shall be a chairperson and a vice chairperson.

Section 2. The chairperson shall be appointed in the manner prescribed by law and shall serve for a term as provided by such law until his/her successor is duly appointed and qualified. The chairperson:

- Shall convene and conduct all Board meetings, and shall call special Board meetings when necessary or advisable;
- Shall prepare and distribute the agenda for Board meetings;
- Shall work in partnership with the Director to ensure that Board policies and directives are carried out;
- Shall act as spokesperson for the Board consistent with Board policies and directives, and shall convey the Board's policies and directives to the Director;
- Shall coordinate an annual performance evaluation of the Director;
- May vote on any matter presented to the Board membership, but shall not be authorized to present a main motion at a meeting of the Board.

Section 3. The vice chairperson shall be elected annually by majority vote at the July Board meeting of each year, and shall serve for one year or until his or her successor is duly elected. Any member of the Board shall be eligible to serve as vice chairperson; provided, however, that only an appointee of one political party shall be entitled to succeed an appointee of the other political party who served during the prior calendar year as vice chairperson. The vice chairperson shall perform the duties of the chairperson of the Board in the event of the absence or disability of the chairperson.

Section 4. Vacancies in the office of the vice chairperson shall be filled by majority vote at any meeting of the Board at which a quorum is present and voting .

ARTICLE III

Meetings

Section 1. Except as provided herein, the Board shall meet monthly on the second Thursday of each month at 10 a.m. Additionally, the Board shall meet at 6:30 p.m. on the days of elections conducted by the Department, to oversee election returns, and at 10 a.m. on the Saturday following any such election, to certify results. The Board shall hold such other meetings as may be necessary upon the call of the chairperson, or by any two members of the Board, with proper notice given pursuant to O.C.G.A. § 50-14-1. The chairperson may change the date and time of any single meeting by prior electronic communication to members and in compliance with O.C.G.A. § 50-14-1.

Section 2. Notice of the time and place for each regular meeting of the Board shall be served in writing by electronic notification upon each member of the Board, at least 18 hours prior to the scheduled time. Such notice shall contain, so far as practicable, an agenda approved by the chairperson upon which are listed the various items of business to be discussed at such meeting and the issues to be voted upon. It is the responsibility of each member of the Board to file with the Director, and to update, his or her current electronic address as necessary.

Section 3. Special-called meetings may be scheduled by giving actual notice of the time, place and purpose of such meeting to each member of the Board by the Director, and shall additionally comply with applicable law for open meetings. Any and all notice to members of the special-called meeting must be transmitted electronically at least 24 hours in advance of such meeting. Attendance of any member at any special-called meeting shall of itself constitute waiver of notice and waiver of any and all objections to the time and place of the meeting and the manner in which it has been called or convened, except where a member attends a meeting solely for the purpose of stating, at the beginning of the meeting, any objection to the transaction of business.

Section 4. Each meeting shall provide time for public comment, during which citizens may voice voter registration and election-related requests, concerns, questions and opinions to the Board, provided that the total time for public comments shall not exceed one hour, provided further that each speaker must fill out a speaker card, prior to the commencement of the meeting, and shall not be allowed to speak for more than two minutes (or such longer period as the Board may approve), and further provided that speakers are required to refrain from abusive, profane or derogatory language.

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Section 5. Three members of the Board shall constitute a quorum for the transaction of business at any meeting of the Board.

Section 6. All actions of the Board shall require a vote of the majority of the members present and voting at any meeting.

Section 7. Meetings shall be conducted in accordance with the most recent edition of Robert's Rules of Order, Newly Revised, which shall govern the Board in all cases to which such rules are applicable, and not inconsistent with these by-laws, the Constitution of the State of Georgia of 1983, the United States Constitution, general or special acts of the legislature or any other applicable law, which shall take precedence over such rules.

Section 8. The ability of this Board to discharge its duties and responsibilities depending on a sufficient number of members to constitute a quorum at its meetings, the Board reserves the right to seek the removal of any member whose nonattendance prevents a quorum at regular meetings.

Section 9. The Board shall designate a secretary of the Board, who may be an employee of the Department, to keep a journal of all decisions of the Board and minutes of its meetings. Such records, once approved by the Board, shall constitute the official records of Board decisions.

Article IV

Training

Each Board member is obligated, in cooperation with other members, to ensure that at least one member of the Board obtains the annual training required by state law codified at O.C.G.A. § 21-2-100. In addition, each Board member is obligated to make his or her best efforts to obtain such training each year on an individual basis.

Article V

Political Activities

The Board and its members have the responsibility to administer all elections in which Fulton County voters cast ballots in an impartial and fair manner, and to avoid any appearance of conflict and/or impropriety. All Board members shall comply with the limitations of political activities set forth in O.C.G.A. Section 21-2-214(c), which prohibits their engagement in any political activity on behalf of a candidate, political party or body,

or question while conducting the duties of such person's office. As interpreted by the Board, this prohibits any Board member from being a declared or qualified candidate, or forming an exploratory committee for, any elected public office, or from serving while such member's parent, spouse, child, brother, sister, father-in-law, mother-in-law, son-in-law, brother-in-law, or sister-in-law is a declared or qualified candidate for any office for which Fulton County voters will cast ballots. No Board member may serve in a visible leadership capacity or position in any campaign for any declared or qualified political candidate seeking election in a contested primary, general or special election to any public office for which Fulton County voters will cast ballots. Visible leadership positions include, but are not limited to, campaign officer positions, honorary campaign officer positions, campaign planning or steering committee positions, campaign finance committee positions, campaign fundraiser host or campaign representative soliciting financial support. No Board member shall publicly endorse any candidate for any elective office for which Fulton County voters will cast ballots. In addition, no Board member shall distribute campaign literature, wear badges, buttons or clothing with partisan messages, or engage in any communication that advocates or criticizes a particular candidate, officeholder, or political party or body while conducting the duties of such person's office. The chairperson of the Board shall not hold any office in a political party at any level of such political party, as prohibited by O.C.G.A. Section 21-2-75. The Board does not interpret O.C.G.A. Section 21-2-214(c) to prohibit any Board member from voting in any primary or election or making financial contributions to candidates or political parties or attending, in an individual capacity, any political or campaign event, meeting, forum or function.

Article VI

Employees

Section 1. The Board hereby delegates the powers and duties of the superintendent and the board of registrars, as provided in O.C.G.A. § 21-2-70 and § 21-2-212, to the Director, pursuant to Sec. 14-42 of the Fulton County Code of Ordinances; provided, however, that the Board acknowledges its ultimate responsibility for the discharge of these powers and duties.

Section 2. The Director is hereby authorized, and has the duty, to direct and supervise the employees of the Department.

Section 3. No individual Board member is authorized to direct the work of the staff, or to discipline any staff member. In the absence of the Director or his or her designee, or in the absence of pertinent Board policy or directive, the Chairperson may exercise supervision only until the return of the Director or his or her designee or until the next Board meeting at which

Article VII

Amendments

The Bylaws may be amended at any time by an affirmative vote of no fewer than three members of the Board at any regular or special meeting, provided that any such amendment shall have first been presented in writing to each member at least fifteen days prior to the meeting at which the amending vote is taken. These bylaws shall be amended at any time necessary to conform to applicable law.

Article VIII

Resolution of Conflicting Provisions

To the extent that any rule within these Bylaws conflicts with any applicable provision of state or county law, the Board acknowledges that such law supersedes any provision herein.

Amended and Adopted by the Fulton County Board of Registrations and Elections the 11th day of February, 2021.

Fulton County Board of Registration and Elections:

Alexander Wan, Chairman

Vernetta Keith Nuriddin, Vice Chair

Members:

Kathleen Ruth

Aaron V. Johnson

Mark Wingate