

House Bill 220

By: Representatives Benton of the 31st, Tarvin of the 2nd, Ridley of the 6th, and Mathis of the 144th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 4 of Article 6 of Chapter 3 of Title 12 of the Official Code of Georgia
2 Annotated, relating to the Stone Mountain Memorial Association, so as to change the
3 composition of the association; to provide for appointments and terms of office; to provide
4 for a quorum; to provide for related matters; to provide for effective dates; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 4 of Article 6 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
9 relating to the Stone Mountain Memorial Association, is amended by revising Code
10 Section 12-3-193, relating to members of association, terms, vacancies, officers, bylaws,
11 quorum, reimbursement for expenses, compensation of employees, and books and records,
12 as follows:

13 "12-3-193.

14 (a)(1) Until July 1, 2021, the ~~The~~ association shall be composed of the commissioner of
15 natural resources or his or her designee and eight members to be appointed by the
16 Governor, one of whom shall be a resident of the metropolitan Atlanta area. The

17 members appointed by the Governor shall be appointed for terms of four years, with the
18 beginning and ending dates of terms to be specified by the Governor, and until the
19 appointment and qualification of their successors, except that the fourth member to be
20 appointed by the Governor as provided for in this part shall be appointed for an initial
21 term of three years and until the appointment and qualification of his or her successor,
22 and except that the members of the association appointed by the Governor and in office
23 on July 1, 1978, shall continue in office until the expiration of the terms for which they
24 were appointed and until the appointment and qualification of their successors, and
25 except that the fifth member to be appointed by the Governor shall be appointed for an
26 initial term beginning July 1, 1985, and ending December 31, 1987, and until the
27 appointment and qualification of a successor. Appointments by the Governor to fill
28 vacancies on the association shall be made for the unexpired term.

29 (2) On and after July 1, 2021, the association shall be composed of the commissioner of
30 natural resources or his or her designee and 12 members to be appointed by the Governor,
31 one of whom shall be a resident of the metropolitan Atlanta area, two members shall be
32 and continue to be while serving on the association members of the Sons of Confederate
33 Veterans, and two members shall be and continue to be while serving on the association
34 members of the Georgia Civil War Commission. Those members of the association
35 serving on such date shall serve out the terms to which they were appointed and until
36 their respective successors are appointed and qualified. The four members added on July
37 1, 2021, pursuant to this paragraph, shall be appointed by the Governor to serve terms of
38 four years beginning on July 1, 2021, and ending June 30, 2025, and until the
39 appointment and qualification of their respective successors. The Governor shall fill any
40 vacancies on the association occurring after July 1, 2021, with qualified appointees for
41 the remainder of the unexpired term and until the appointment and qualification of a
42 successor.

43 (b) The Governor shall appoint the chairperson of the association for a term of one year
44 from among the members of the association which the Governor appoints. A member may
45 serve no more than two consecutive terms as chairperson nor more than two terms as
46 chairperson in any one four-year term as a member of the association. The association
47 shall also elect a secretary and a treasurer who need not be members. The office of
48 secretary and treasurer may be combined in one person.

49 (c) The association may make such bylaws for its government as is deemed necessary but
50 is under no duty to do so.

51 (d) Any ~~five~~ seven members of the association shall constitute a quorum necessary for the
52 transaction of business, and a majority vote of those present at any meeting at which there
53 is a quorum shall be sufficient to do and perform any action permitted to the association
54 by this part. No vacancy on the association shall impair the right of a quorum to transact
55 any and all business as aforesaid.

56 (e) The members shall receive no compensation for their services, but all members shall
57 be entitled to be reimbursed for actual expenses, including travel and any other expenses,
58 incurred while in the performance of their duties. Employees of the association shall
59 receive reasonable compensation, to be determined by the members of the association, for
60 their services.

61 (f) Members of the association shall be accountable as trustees. They shall cause to be
62 kept adequate books and records of all transactions of the association, including records of
63 income and disbursements of every nature. The books and records shall be inspected and
64 audited by the state auditor at least once in each year."

65 **SECTION 2.**

66 For the purpose of appointing the two additional members of the association provided for in
67 this Act, this Act shall become effective upon its approval by the Governor or upon its

68 becoming law without such approval. This Act shall become effective for all other purposes
69 on July 1, 2021.

70

SECTION 3.

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