

Senate Bill 269

By: Senators Fort of the 39th, Orrock of the 36th, Tate of the 38th and Millar of the 40th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act to provide a new charter for the City of Atlanta, approved April 15, 1996
2 (Ga. L. 1996, p. 4469), as amended, so as to provide for the creation of the office of inspector
3 general; to provide for the manner of appointment, qualifications, compensation, term,
4 removal, and powers and duties of the inspector general; to provide for a deputy, support
5 personnel, office space, and furnishings; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

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

8 **SECTION 1.**

9 An Act to provide a new charter for the City of Atlanta, approved April 15, 1996
10 (Ga. L. 1996, p. 4469), as amended, is amended in Article 3 by adding a new chapter to read
11 as follows:

12 "Chapter 8.
13 Inspector General.
14 SECTION 3-801.
15 Creation.

16 There is hereby created the office of inspector general for the City of Atlanta.

17 Section 3-802.
18 Appointment; qualifications; term; removal.

19 (a) The inspector general shall be appointed by the city council from recommendations by
20 a committee composed of the chief judge of the Superior Court of Fulton County, the chief
21 judge of the Superior Court of DeKalb County, and the chief judge of the State Court of
22 Fulton County. The chief judge of the Superior Court of Fulton County shall act as

23 chairperson of the committee and shall call all meetings of the committee and shall preside
24 over meetings of the committee.

25 (b) The individual appointed as inspector general shall be a resident of the City of Atlanta,
26 shall be 25 years of age or older, and shall be a member of the State Bar of Georgia in good
27 standing. The inspector general shall not be related by blood or marriage within the third
28 degree as computed according to the civil law to the mayor, any department or agency
29 head, or any member of the city council. The inspector general shall not have been a
30 business partner of the mayor, any department or agency head, or any member of the city
31 council within the three years immediately preceding his or her appointment and shall not
32 enter into any business relationship with the mayor, any department or agency head, or any
33 member of the city council during his or her term as inspector general.

34 (c) In appointing the inspector general, the committee shall solicit applications and
35 nominations of individuals interested in the position. The committee shall screen and
36 evaluate those individuals applying or having been nominated and shall recommend to the
37 city council the individual or individuals that the committee believes are the highest and
38 best qualified candidates for the position. The city council shall then appoint the inspector
39 general from such recommended candidates.

40 (d) The city council shall appoint the first inspector general not later than December 1,
41 2017. The inspector general shall take office on January 1, 2018, and shall serve a term of
42 office of six years and until his or her successor is appointed and qualified. Thereafter, the
43 committee shall meet, evaluate applicants and nominees, and recommend a candidate or
44 candidates to the city council in sufficient time to permit the city council to appoint a
45 successor not later than December 1 immediately prior to the end of the inspector general's
46 term of office. Such successor shall take office on January 1 immediately following such
47 appointment and shall serve for a term of six years and until a successor is appointed and
48 qualified. The individual serving as inspector general shall be eligible for reappointment.

49 (e) The inspector general may be removed by a majority vote of the city council upon the
50 recommendation of the committee. In the event that the committee does not recommend
51 the removal of the inspector general, the city council may remove the inspector general
52 only upon a three-fourth's affirmative vote of the entire city council.

53 SECTION 3-803.

54 Compensation, office space, and personnel.

55 (a) The inspector general shall receive an annual salary equal to the salary paid to the chief
56 judge of the municipal court of the City of Atlanta which shall be paid monthly or
57 semimonthly in equal installments.

58 (b) The city shall furnish the inspector general with adequate office space, equipment,
59 furnishings, and supplies to perform the duties of the office of inspector general.

60 (c) The inspector general shall have the authority to appoint a deputy inspector general
61 who shall meet the same qualifications as the inspector general and who shall serve at the
62 pleasure of the inspector general. The deputy inspector general shall receive a salary in an
63 amount equal to 80 percent of the salary paid to the inspector general. Such salary shall
64 be paid from city funds on a monthly or semimonthly basis in equal installments.

65 (d) The inspector general shall also have the authority to appoint an administrative
66 assistant and a minimum of two investigators. The inspector general shall also have the
67 authority to appoint such clerical and support personnel as needed, subject to appropriation
68 of the city council. The compensation of all such personnel shall be established by the city
69 council in consultation with the inspector general.

70 **SECTION 3-804.**

71 **Duties and powers.**

72 (a) The inspector general shall have the duty to undertake financial and programmatic
73 reviews of city government to ensure that the city is being operated in accordance with this
74 charter and the laws of this state and the United States. The inspector general shall ensure
75 that the city is fully complying with its duties under Chapter 14 of Title 50 and Article 4
76 of Chapter 18 of Title 50 of the O.C.G.A.

77 (b) The inspector general, upon complaint or upon his or her own motion, may investigate
78 specific allegations of improper conduct or actions by city officials and employees. The
79 inspector general shall have the authority to issue subpoenas to compel testimony and the
80 production of documents, records, and other tangible items related to an investigation and
81 to seek compliance with such subpoenas in the Superior Court of Fulton County, if
82 necessary. The inspector general shall have the authority to take depositions under oath
83 of witnesses and to have the same taken down and transcribed.

84 (c) The inspector general may make such reports regarding such reviews and
85 investigations as the inspector general deems appropriate and may refer cases for
86 prosecution in the state or superior courts when criminal activity is discovered."

87 **SECTION 2.**

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