

Fulton County – 2013 Legislation

The Georgia General Assembly recently passed a package of thirteen reform bills that pertain only to Fulton County. Several others that affect north Fulton cities were also approved.

Republican House members crafted, introduced and passed the legislation as part of reform package designed to improve Fulton County's efficiency and effectiveness. Republican Senators carried the bills to final passage on Day 39 of the 40-day legislative session.

Since Fulton County is Georgia's capitol county and home to 10 percent of the state's population, its failures over the past several years have had a disproportionate effect on the entire metro-Atlanta region.

Recently, mismanagement and inefficiency have plagued nearly every service that Fulton provides. Some examples: The county jail lacked 1300 secure cell door locks for a decade, despite warnings from three consecutive sheriffs. Mishandled elections last November led to an investigation by Secretary of State Brian Kemp and an historic number of provisional ballots cast due to elections staff errors.

Fulton spends 121 percent more per capita in its budget than neighboring, similarly sized Gwinnett County and 68 percent more than Cobb. And that's after excluding expenditures on Grady Hospital and MARTA.

The message is clear: Fulton needs reform.

In response, the General Assembly recently passed a package of thirteen reform bills that pertain only to Fulton County. Several others that affect north Fulton cities were also approved.

See below for a description of the bills.

Fulton Reform Legislation - Passed

HB 171 - Reapportionment of Fulton County Commission Districts

Primary Author: Rep. Lynne Riley

- Redistricted the Fulton County Commission into equally populated districts following the 2010 census.
- Created six districts and one at-large chair and staggered the terms.

HB 347 - Fulton County Board of Registrations and Elections Revise Appointment

Primary Author: Rep. Lynne Riley

- Changed the appointment of one of the five board members.
- Two will continue to be nominated by the Democrat Party and two by the Republican Party. The final member will be nominated by the Fulton County combined House and Senate Legislative Delegation.

HB 380 - Fulton BOE retirement plan – revise governance provisions

Primary Author: Rep. Lynne Riley

- Requested unanimously by the Fulton County Board of Education.
- Gives more accountability and control to the Fulton County Board of Education.

HB 435 - State Court of Fulton County – Chief Judge Duties

Primary Author: Rep. Wendell Willard

- Spells out duties for Chief Judge and adjusts salary to reflect increased responsibilities.

- New duties will include: scheduling regular judge's meetings, managing available court space, making determinations of divisions, selection of jury clerk and oversight, and developing a personnel system.
- Requested by bipartisan judicial commission

HB 437 - Superior Court of Fulton County – Chief Judge Duties

Primary Author: Rep. Wendell Willard

- Spells out duties for Chief Judge.
- New duties will include: scheduling regular judge's meetings, managing available court space, making determinations of divisions, selection of jury clerk and oversight, and developing a personnel system.
- Requested by bipartisan judicial commission

HB 441 - Superior Court of Fulton County – Budget Oversight

Primary Author: Rep. Wendell Willard

- Fulton County Superior Court will operate more efficiently with ability to control budget.
- Requested by Fulton judges

HB 442 - State Court of Fulton County – Budget Oversight

Primary Author: Rep. Wendell Willard

- Fulton County State Courts will operate more efficiently with ability to control budget.
- Requested by Fulton judges

HB 443 - Magistrate Court of Fulton County – Appointment of Chief Judge

Primary Author: Rep. Wendell Willard

- The chief magistrate will be a nonpartisan, **elected** position.
- Fulton County is the **only** Georgia County where the magistrate court is operated and administered under the state court and the chief magistrate is appointed by the state court judges.

HB 444 - Superior Court of Fulton County – Judge Salary Supplements

Primary Author: Rep. Wendell Willard

- Supplements the salaries of Superior Court judges in order to bring them in line with those of other counties. The Fulton circuit is currently ranked eleventh on the list of Georgia superior court salaries.

HB 594 - Fulton County Personnel

Primary Author: Rep. Chuck Martin

- Future employees will have unclassified status, except for public safety employees.

HB 598 - Fulton County Superior, State and Magistrate Courts

Primary Author: Rep. Wendell Willard

- Employees will be unclassified.

HB 604 - Fulton County Millage Rate

Primary Author: Rep. Jan Jones

- Suspends any proceedings by the Fulton County Commission to increase the ad valorem millage rate in 2013 and 2014.
- NOTE: THE ABOVE PROVISION CANNOT BE APPLIED TO ANY OTHER GEORGIA COUNTY. ALLOWED BECAUSE OF A 1951 LOCAL CONSTITUTIONAL AMENDMENT PERTAINING ONLY TO FULTON COUNTY.
- Requires 5 of 7 commissioners to vote to increase millage rate beginning in 2015.

HB 627 - Fulton County Community Improvement Districts

Primary Author: Rep. Jan Jones

- Revise provisions to allow Fulton County CIDs located outside of Atlanta to renew prior to termination date. Requested by all CIDs affected.

Legislation That Passed House and Did Not Receive A Senate Vote This Session:

Note: Cannot move forward until 2014

HB 346 - Appointment of the Fulton County Tax Commissioner

Primary Author: Rep. Harry Geisinger

- Changes the office of Tax Commissioner from an elected to an appointed position.
- Would prohibit the Tax Commissioner from personal compensation for the performance of the duties of the office.

HB 541 - Fulton County Homestead Exemption – requires 2/3 majority

Primary Author: Rep. Jan Jones

- Provides for a referendum to increase the homestead exemption from \$30,000 to \$60,000 over three years. Fulton spends 121% more per capita than Gwinnett, excluding expenditures on Grady.
- After full implementation in 2017, Fulton will still spend 100% more per capita than Gwinnett, excluding expenditures on Grady.

Other Local Legislation Pertaining to North Fulton Cities Awaiting Governor's Signature

HB 452 - Reapportionment of City of Milton Council

Primary Author: Rep. Jan Jones

- Prior to 2013 council elections, the bill redistributes the population equally into council districts as required following the 2010 census. Council members are already and will continue to be required to live in districts, but stand for election citywide.
- Creates three districts, each containing two council posts. The mayor will continue to run from and be elected citywide.

HB 526 - North Fulton Regional Radio System

Primary Author: Rep. Wendell Willard

- Provides for development of regional communication system for public safety and public service for Sandy Springs, Roswell, Milton and Alpharetta. Requested by cities to reduce costs and privatize.

HB 527 - Various City of Milton Charter Modifications

Primary Author: Rep. Jan Jones

- Makes several changes supported unanimously by the Milton City Council and legislative delegation. The Charter Commission recommended most of the changes.
- Clarifies that a majority-vote referendum to increase the city millage rate cap for operating purposes would establish a new rate cap, not eliminate the cap.
- Requires the vote of five council members to override the mayor's veto.
- Provides for the annual election of a mayor pro tem by the city council.
- Limits the mayor and council members to three full consecutive terms.
- Provides a question that must appear on the ballot if the council votes to hold a referendum to increase the millage rate. The question will be 'Do you approve increasing taxes on residential and nonresidential property for City of Milton property owners by raising from [current millage rate] to [proposed millage rate] the operating budget millage rate, which was capped in the original charter for the city?'

HB 574 - Johns Creek Charter Modification

Primary Author: Rep. Lynne Riley

- Clarifies that a majority-vote referendum to increase the city millage rate cap for operating purposes would establish a new rate cap, not eliminate the cap.
- Provides a question that must appear on the ballot if the council votes to hold a referendum to increase the millage rate. The question will be 'Do you approve increasing taxes on residential and nonresidential property for City of Johns Creek property owners by raising from [current millage rate] to [proposed millage rate] the operating budget millage rate, which was capped in the original charter for the city?'