

1 **A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS**
2 **AMENDING THE COST TO BE CHARGED TO MUNICIPALITIES WHO**
3 **AUTHORIZE FULTON COUNTY TO CONDUCT ANY OR ALL OF THEIR**
4 **MUNICIPAL ELECTIONS; AND FOR OTHER PURPOSES.**
5

6 **WHEREAS**, the Fulton County Board of Registration and Elections (“BRE”) is the
7 entity empowered to supervise and conduct elections in Fulton County, Georgia (the
8 “County”) pursuant to 1989 Ga. Laws p. 4577; and

9 **WHEREAS**, O.C.G.A. § 21-2-45(c) authorizes the governing authority of any
10 municipality to contract with the county within which that municipality wholly or partially
11 lies to conduct any or all elections; and

12 **WHEREAS**, O.C.G.A. § 21-2-45(c) empowers a municipality to, by ordinance,
13 authorize a county to conduct such elections; and

14 **WHEREAS**, O.C.G.A. § 21-2-45(c) requires municipalities to pay all costs a county
15 incurs while conducting the municipality’s requested elections services; and

16 **WHEREAS**, agreements between the County and its municipalities have been
17 utilized for conducting elections since the passage of Resolution 17-0628 at the August
18 2, 2017 meeting of the Board of Commissioners (the “BOC”) pursuant to which the BOC
19 directed that municipalities would pay the County based on the pro-rata share of
20 registered voters for requested County provided election services; and

21 **WHEREAS**, these agreements between the County and its municipalities are for
22 individual election cycles and new agreements are required for subsequent election
23 cycles if the municipalities authorize the County to conduct all or part of their election; and

24 **WHEREAS**, with the passage of Resolution 19-0630 at the August 7, 2019
25 meeting, the BOC changed the calculation for municipal elections from pro-rata share of
26 registered voters to a set monetary amount for each registered voter; and

1 **WHEREAS**, the costs associated with conducting general, special and runoff
2 elections are increasing and demand greater commitment and provision of resources by
3 the County; and

4 **WHEREAS**, in 2021, the total number of voters registered to vote in the County
5 was 819,926; and

6 **WHEREAS**, in 2021, the cost associated with conducting elections for these voters
7 was \$5,174,403.63; and

8 **WHEREAS**, in 2021, the total revenue paid to the County by municipalities for
9 municipal elections was only \$2,426,980.00; and

10 **WHEREAS**, the BOC recognizes the need to fairly apportion the costs of
11 conducting elections to all citizens and voters of the County and comply with the
12 requirements of O.C.G.A. § 21-2-45(c); and

13 **WHEREAS**, the BOC desires to implement a more accurate cost structure at the
14 start of the 2023 election cycle to ensure that municipalities pay all costs the County incurs
15 while conducting the municipalities' requested elections services; and

16 **WHEREAS**, the BRE has researched the issues related to the cost municipalities
17 pay for the County conducting their municipal elections and believes that the pro-rata
18 share approach better captures all costs incurred by the County in conducting said
19 elections over the specific cost per registered voter approach adopted in 2019; and

20 **WHEREAS**, the BOC agrees with the BRE's analysis.

21 **NOW THEREFORE, BE IT HEREBY RESOLVED**, by the Fulton County Board of
22 Commissioners that in even numbered years when the County is holding a regularly
23 scheduled federal, statewide or County Primary, Primary runoff, General Election or

1 General Election runoff, the County will pay the costs of conducting the election.

2 **BE IT FURTHER RESOLVED**, that in odd-numbered years when municipalities
3 hold regularly scheduled municipal general elections, municipalities requesting County
4 election services will pay an upfront pro-rata share of the cost of those services, based
5 on the municipalities' respective number of registered voters, but in the event of a
6 concurrent County election with overlapping territory, the County shall assume its own
7 pro-rata share of costs, with Election services to include a number of early voting sites to
8 be determined by the County.

9 **BE IT FURTHER RESOLVED**, that as part its budget process, the Board of
10 Registration and Elections shall include a line item identifying the expected costs to the
11 County to conduct municipal elections and this budget line item shall form the basis of the
12 pro-rata share the municipalities shall be required to pay in advance, no later than four
13 (4) months before the date of a scheduled municipal election, to the County when they
14 request the County conduct their municipal elections.

15 **BE IT FURTHER RESOLVED**, that if the pro-rata share cost calculations result in
16 payments in excess of the total cost of the election services which were requested by all
17 or some of the municipalities and provided by the County to the municipalities, such
18 excess payments shall be refunded to said municipalities upon request and on a pro-rata
19 basis.

20 **BE IT FURTHER RESOLVED**, that in odd-numbered years, the County will
21 coordinate with the municipalities in setting the dates of elections.

22 **BE IT FURTHER RESOLVED**, by the Board of Commissioners that this policy
23 shall be effective for all Fulton County municipalities beginning with elections in 2023 and

1 shall be used as the basis for any agreement with any municipality requesting County
2 election services.

3 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
4 adoption, and that all resolutions and parts of resolutions in conflict with this Resolution
5 are hereby repealed to the extent of the conflict.

6 **SO PASSED AND ADOPTED** by the Board of Commissioners of Fulton County
7 this 18th day of January 2023.

8 **FULTON COUNTY**
9 **BOARD OF COMMISSIONERS**
10

11 _____
12 Robert L. Pitts, Chairman
13

14
15 **ATTEST:**

16
17 _____
18 Tonya R. Grier, Clerk to the Commission
19

20 **APPROVED AS TO FORM:**

21
22
23 _____
24 Y. Soo Jo, County Attorney
25

26 [https://fc0365.sharepoint.com/sites/CountyAttorney/CALegislation/Elections/Resolutions/1.10.23 Resolution amending municipal
27 elections costs.docx](https://fc0365.sharepoint.com/sites/CountyAttorney/CALegislation/Elections/Resolutions/1.10.23%20Resolution%20amending%20municipal%20elections%20costs.docx)