

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 867

Short Title: Superintendent of Public Instruction Min Reqs. (Public)

Sponsors: Senator Chaudhuri (Primary Sponsor).

Referred to: Rules and Operations of the Senate

May 6, 2024

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH CERTAIN MINIMUM EXPERIENCE REQUIREMENTS TO  
HOLD THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-18 reads as rewritten:

"§ 115C-18. **Election of Superintendent of Public Instruction.**

(a) Election; Term. – The Superintendent of Public Instruction shall be elected by the qualified voters of the State in 1972 and every four years thereafter at the same time and places as members of the General Assembly are elected. His term of office shall be four years and shall commence on the first day of January next after election and continue until his successor is elected and qualified.

(b) Qualifications. – In order to be eligible to hold office as the Superintendent of Public Instruction, the individual must have at least one year of experience as (i) a teacher or school administrator in this State or (ii) a member of a local board of education or the State Board of Education.

(c) Vacancy. – If the office of the Superintendent of Public Instruction is vacated by death, resignation, or otherwise, it shall be the duty of the Governor to appoint another to serve until his successor is elected and qualified. Every such vacancy shall be filled by election at the first election for members of the General Assembly that occurs more than 30 days after the vacancy has taken place, and the person chosen shall hold the office for the remainder of the unexpired term fixed in Article III, Sec. 7 of the Constitution of North Carolina. When a vacancy occurs in the office and the term expires on the first day of January succeeding the next election for members of the General Assembly, the Governor shall appoint to fill the vacancy for the unexpired term of the office. Upon the occurrence of a vacancy in the office for any of the causes stated herein, the Governor may appoint an interim officer to perform the duties of that office until a person is appointed or elected pursuant to Article III, Sec. 7 of the Constitution of North Carolina to fill the vacancy and is qualified.

(d) Applicability of Laws. – The time of the election of the Superintendent of Public Instruction shall be in accordance with the provisions of Article 1 of Chapter 163 of the General Statutes. The

~~The~~ election, term and induction into office of the Superintendent of Public Instruction shall be in accordance with the provisions of G.S. 147-4."

**SECTION 2.** There is appropriated from the General Fund to the State Board of Elections the nonrecurring sum of ten thousand dollars (\$10,000) for the 2024-2025 fiscal year to be used by the Board for ensuring qualification of candidates as required by Section 1 of this



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- 1 act. Funds appropriated in this section do not revert but remain available to the Board to be used  
2 for purposes consistent with this act.  
3 **SECTION 3.** This act is effective when it becomes law and applies to individuals  
4 who have been selected to serve as a political party's candidate for election on or after that date.