

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SESSION LAW 2020-20
HOUSE BILL 1151**

AN ACT TO CLARIFY THE APPOINTMENTS MADE BY THE BOARDS OF EDUCATION
TO THE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE BOARD
OF TRUSTEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-12(a), as amended by Section 1 of S.L. 2013-175, reads as rewritten:

"(a) Each community college established or operated pursuant to this Chapter shall be governed by a board of trustees consisting of ~~13~~¹⁴ members, or of additional members if selected according to the special procedure prescribed by the third paragraph of this subsection, who shall be selected by the following agencies. No member of the General Assembly may be appointed to a local board of trustees for a community college.

Group One – ~~four~~^{five} trustees, ~~elected by the board of education of the public school administrative unit located in the administrative area of the institution. If there are two or more public school administrative units, whether city or county units, or both, located within the administrative area, the trustees shall be elected jointly by all of the boards of education of those units, each board having one vote in the election of each trustee, except as provided in G.S. 115D-59.~~ elected as follows:

- (1) Two trustees elected by the Asheville City Board of Education as follows:
 - a. The appointment of one trustee for a term commencing July 1, 2021, and quadrennially thereafter.
 - b. The appointment of one trustee for a term commencing July 1, 2023, and quadrennially thereafter.
- (2) Two trustees elected by the Buncombe County Board of Education as follows:
 - a. The appointment of one trustee for a term commencing July 1, 2022, and quadrennially thereafter.
 - b. The appointment of one trustee for a term commencing July 1, 2024, and quadrennially thereafter.
- (3) One trustee elected by the Madison County Board of Education for a term commencing July 1, 2021, and quadrennially thereafter.

No board of education shall elect a member of the board of education or any person employed by the board of education to serve as a trustee, however, any such person currently serving on a board of trustees shall be permitted to fulfill the unexpired portion of the trustee's current term.

Group Two – four trustees, elected by the board of commissioners of the county in which the institution is located. Provided, however, if the administrative area of the institution is composed of two or more counties, the trustees shall be elected jointly by the boards of commissioners of all those counties, each board having one vote in the election of each trustee. Provided, also, the county commissioners of the county in which the community college has established a satellite campus may elect an additional two members if the board of trustees of the community college agrees. No more than one trustee from Group Two may be a member of a board of county commissioners of a given county. Should the boards of education or the boards of commissioners



involved be unable to agree on one or more trustees the senior resident superior court judge in the superior court district or set of districts as defined in G.S. 7A-41.1 where the institution is located shall fill the position or positions by appointment.

Group Three – four trustees, appointed by the Governor.

Group Four – the president of the student government or the chairman of the executive board of the student body of each community college established pursuant to ~~G.S. 115D~~ this Chapter shall be an ex officio nonvoting member of the board of trustees of each said institution."

SECTION 2. This act applies only to Asheville-Buncombe Technical Community College.

SECTION 3. This act is effective when it becomes law and applies to appointments made on or after July 1, 2021.

In the General Assembly read three times and ratified this the 17th day of June, 2020.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives