

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1993**

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**HOUSE BILL 2055**

Short Title: Raleigh Vacancy Elections.

(Local)

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Sponsors: Representatives Hensley and Mosley.

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Referred to: Local and Regional Government I.

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June 6, 1994

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH TO ALLOW  
2 THE COUNCIL TO PROVIDE SPECIAL ELECTIONS FOR THE FILLING OF  
3 VACANCIES.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. The Charter of the City of Raleigh, being Chapter 1184, Session  
7 Laws of 1949, is amended by adding a new section to read:

8 "Sec. 9.1. Vacancy on Council. Vacancies in the City Council shall be filled by the  
9 Council for the remainder of the unexpired term. In lieu of that method, the City  
10 Council may direct that any such vacancy be filled by election. If the City Council  
11 chooses to fill a vacancy in its number by election, it shall do so by passing a resolution  
12 establishing a filing period and setting a date for the election. The filing period shall be  
13 no less than 10 days and no more than 20 days. The election may be held at a regular  
14 election or a special election called for this or any other purpose. No special election  
15 shall be held less than 30 days before or less than 10 days after a regularly scheduled  
16 election. If no candidate receives a majority of the votes cast, the two candidates  
17 receiving the highest number of votes shall participate in a runoff election to be held 28  
18 days after the first election. No runoff need be held if the candidate receiving the  
19 second highest number of votes files a written waiver of the right to the election with  
20 the Wake County Board of Elections. The candidate elected shall be sworn in at the  
21 first regular meeting after the Wake County Board of Elections certifies the election  
22 results to the City Council."

23 Sec. 2. Section 9 of the Charter of the City of Raleigh, being Chapter 1184 of  
24 the 1949 Session Laws, as rewritten by Chapter 319 of the 1973 Session Laws, is

1 amended by deleting "Vacancies in the City Council shall be filled by the Council for  
2 the remainder of the unexpired term."

3           Sec. 3. This act is effective upon ratification.