

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 2055

Senate Constitution and Election Laws Committee Substitute Adopted 6/29/94

Short Title: Raleigh Vacancy Elections.

(Local)

Sponsors:

Referred to:

June 6, 1994

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH TO ALLOW THE COUNCIL TO PROVIDE SPECIAL ELECTIONS FOR THE FILLING OF VACANCIES.

The General Assembly of North Carolina enacts:

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

"Sec. 9.1. Vacancy on Council. Vacancies in the City Council shall be filled by the Council for the remainder of the unexpired term. In lieu of that method, the City Council may direct that any such vacancy be filled by election. If the City Council chooses to fill a vacancy in its number by election, it shall do so by passing a resolution establishing a filing period and setting a date for the election, except that the election may not be held after the first day of August of the year the term would have expired. The filing period shall be no less than 10 calendar days and no more than 20 calendar days. The election may be held at a regular primary or election or a special primary or election called for this or any other purpose. No special election shall be held less than 80 days before or less than 28 days after a regularly scheduled primary or election. The results of the election shall be determined by the same method as for regular elections to the City Council. The candidate elected shall be sworn in at the first regular meeting after the Wake County Board of Elections certifies the election results to the City Council."

Sec. 2. Section 9 of the Charter of the City of Raleigh, being Chapter 1184 of 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.