

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 293
Mar 8, 2017
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40166-MK-76A (02/13)

Short Title: Onslow Bd. Ed. Partisan/Swain Clarify Elect. (Local)

Sponsors: Representatives Cleveland, Shepard, Millis, and Clampitt (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE MANNER OF ELECTION FOR THE ONSLOW COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN AND TO CLARIFY THE ELECTION METHOD FOR THE SWAIN COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

PART I. ONSLOW COUNTY BOARD OF EDUCATION CHANGE ELECTION METHOD TO PARTISAN

SECTION 1.1. Section 1(a) of Chapter 583 of the 1993 Session Laws reads as rewritten:

"Section 1. (a) Beginning in ~~1996~~2018, the members of the Onslow County Board of Education shall be elected on a ~~nonpartisan~~partisan basis at the time of the ~~primary election for county officers. The general election in each even-numbered year as terms expire. Except as provided by this act,~~ elections shall be conducted in accordance with Chapters 115C and 163 of the General Statutes. ~~The results of the election shall be determined by the plurality method under G.S. 163-292.~~ Candidates for election to the Onslow County Board of Education shall be nominated at the same time and manner as other county officers. Vacancies on the Board of Education for positions elected on a nonpartisan basis in 2014 or 2016 shall be filled in accordance with G.S. 115C-37(f). Vacancies on the Board of Education for positions elected on a partisan basis in 1992 or 1994 beginning in 2018 shall be filled in accordance with G.S. 115C-37.1. This section does not affect the terms of office of any person elected in ~~1992 or 1994~~2014 or 2016 to the Onslow County Board of Education. Beginning in ~~2000~~2018, members elected shall take office and qualify on ~~July 1~~the first Monday in December of the year of their election, and the terms of their predecessors shall expire at that same time."

SECTION 1.2. The members of the Onslow County Board of Education elected in 2014 and 2016, or any member appointed to fill a vacancy for the remainder of an unexpired term for a member elected in 2014 or 2016, shall serve until a successor has been elected and qualified.

PART II. SWAIN COUNTY BOARD OF EDUCATION CLARIFY ELECTION METHOD

SECTION 2.1. Chapter 1174 of the 1967 Session Laws is repealed.

SECTION 2.2. The Swain County Board of Education shall consist of five members to be nominated and elected on a partisan basis by the qualified voters of the entire county at the time of the general election in each even-numbered year as terms expire. Except as provided by this act, elections shall be conducted in accordance with Chapters 115C and 163 of the General Statutes. Candidates for election to the Swain County Board of Education shall be nominated at the same time and manner as other county officers. If the number of candidates of a political party



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1 filing notice of candidacy is less or equal to the number of offices to be filled, then such
2 candidates shall be declared the nominees for such political party and no primary election shall be
3 held for such candidates or party, and such nominees' names shall appear on the general election
4 ballot. In 2018, and quadrennially thereafter, two members shall be elected for four-year terms. In
5 2020, and quadrennially thereafter, three members shall be elected for four-year terms.

6 **SECTION 2.3.** Members elected to the Swain County Board of Education shall take
7 office and qualify on the first Monday in December of the year of their election, and the terms of
8 their predecessors shall expire at that same time. Members shall serve until a successor has been
9 elected and qualified.

10 **SECTION 2.4.** Vacancies on the Swain County Board of Education for positions
11 elected on a partisan basis beginning in 2018 shall be filled in accordance with G.S. 115C-37.1.

12 **SECTION 2.5.** The Swain County Board of Education shall hold its organizational
13 meeting on the first Monday in December, and biennially thereafter, and shall elect a chair and
14 such other officers as it deems necessary.

15 **SECTION 2.6.** This part does not affect the terms of office of any person elected in
16 2014 or 2016 to the Swain County Board of Education. The members of the Swain County Board
17 of Education elected in 2014 or 2016, or any member appointed by the remaining members of the
18 Board to fill a vacancy of a member elected in 2014 or 2016, shall serve until a successor has been
19 elected and qualified.

20 **PART III. CONFORMING STATUTORY CHANGES**

21 **SECTION 3.** Effective on the first Monday in December of 2018, G.S. 115C-37.1(d)
22 reads as rewritten:

23 "(d) This section shall apply only in the following counties: Alleghany, Brunswick,
24 Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Onslow,
25 Rutherford, Stanly, Swain, Vance, and Washington."
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28 **PART IV. EFFECTIVE DATE**

29 **SECTION 4.** This act is effective when it becomes law.