

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 127

Short Title: Transylvania Co. Bd. Ed./Election Nonpartisan. (Local)

Sponsors: Representative Henson.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Elections and Ethics Law, if favorable, State and Local Government I

February 20, 2017

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE ELECTION METHOD OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1 of Chapter 157, Session Laws of 1975, as amended by Section 1 of Chapter 102, Session Laws of 1993, Section 1 of Chapter 76, Session Laws of 1995, and Section 1 of S.L. 2016-44, reads as rewritten:

"Section 1. ~~Beginning in 2018, the~~The Board of Education of Transylvania County shall consist of five members who shall be elected on a ~~partisan~~nonpartisan basis ~~at the time of the general election~~ in each even-numbered year as terms expire. The ~~primary and~~ election shall be held and conducted in accordance with the general laws governing ~~primaries and~~ elections for county officers, except as otherwise provided herein. The election shall be held on the date of the county general election, with the results determined on a plurality basis in accordance with G.S. 163-292. Notices of candidacy shall be filed not earlier than 12:00 noon on the first Monday in June and not later than 12:00 noon on the last Friday in June.~~This section does not affect the terms of office of any person elected in 2014 or 2016 to the Board of Education of Transylvania County.~~

As the terms of the present members expire, ~~beginning with the primary and election to be held in 2018,~~ and every two years thereafter, members of the Board of Education shall be elected for terms of four years."

SECTION 2. Section 3 of Chapter 157, Session Laws of 1975, as amended by Section 2 of Chapter 102, Session Laws of 1993, and Section 2 of S.L. 2016-44, reads as rewritten:

"Sec. 3. Vacancies in the membership of the Board of Education occurring for any reason shall be filled immediately by the Transylvania County Board of Education. ~~Beginning in 2018, to be eligible for appointment to fill a vacancy for seats elected on a partisan basis, a person must be a member of the same political party as the member being replaced and must have been affiliated with that political party for at least 90 days as of the date of appointment.~~ The person appointed to fill the vacancy shall serve until the next election for members of the Board of Education at which time a person shall be elected to fill the unexpired term or, if the term has expired, to a full term. However, if a vacancy occurs after the opening of the filing period under G.S. 163-106 for the primary of a general election held after the first two years of the term for the vacant seat, the Board of Education shall appoint a person who is a member of the same political party as the member being replaced in accordance with this section for the remainder of the unexpired term. However, if a vacancy occurs after the opening of the filing period for the general election in the middle of the four-year term, the appointment shall be for the unexpired term."



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SECTION 3. This act is effective when it becomes law.