

April 14, 1999

H 1033. APPELLATE JUDGE ELECTIONS. *TO PROVIDE THAT THE INITIAL ELECTION OF AN APPELLATE JUDGE SHALL CONTINUE AS CURRENT, BUT SUBSEQUENT ELECTIONS FOR THAT JUSTICE OR JUDGE TO THE SAME OFFICE SHALL BE BY NONPARTISAN RETENTION ELECTION.* Adds new GS 7A-4.1 as title indicates. Appellate judges who are appointed must first run in partisan election. If person elected seeks to continue in office, that person must, in year preceding last year before term expires, file declaration of intent to continue in office no earlier than July or later than December 15. If incumbent files timely declaration, election is retention election, statewide, at general election in last year of term. If majority vote in favor of retention, incumbent wins another term. If majority votes against retention, vacancy is created at end of term and Governor appoints to fill vacancy. Incumbent does not holdover until successor appointed in that circumstance. If incumbent seeking reelection dies or is otherwise removed from office before ballots are printed, the retention election is cancelled. If ballots already printed and cannot be reprinted, the votes cast in retention election are not in effect. Specifies in GS 163-107 that filing fees are applicable to retention elections.

Intro. by Culpepper.

Ref. to Judiciary IV

GS 7A