

March 10, 2009

H 526. SUPERIOR COURT JUDGE ELECTIONS. Filed 3/10/09. *TO PROVIDE THAT EACH SUPERIOR COURT JUDGESHIP SHALL BE ELECTED SEPARATELY, AS IS ALREADY PROVIDED FOR THE APPELLATE DIVISION AND DISTRICT COURT, AND THAT VACANCIES SHALL BE FILLED AT THE NEXT ELECTION FOR A FULL EIGHT-YEAR TERM AS IS ALREADY PROVIDED FOR THE APPELLATE DIVISION.*

Amends GS 163-9 to provide that the appointee to a vacancy in the office of a superior court judge holds office until January 1 next following the election of General Assembly members that is held more than 60 days after the vacancy occurs, at which time an election is held for an eight-year term and until a successor is elected and qualified. Current law provides that a superior court judge appointee holds office until the next election of General Assembly members that is held more than 60 days after the vacancy occurs, at which time an election is held to fill the unexpired term of office [unless the appointee is from a district (1) with only one resident judge or (2) in which no county is subject to Section 5 of the Voting Rights Act of 1965, then an election is held to fill an eight-year term]. Makes a technical change.

Amends GS 163-322 (Nonpartisan primary election method for appellate, superior, or district court judges), GS 163-323 (Notice of candidacy), GS 163-327.1 (Rules when vacancies for superior court judge are to be voted on), GS 163-328 (Failure of candidates to file; death or other disqualification of a candidate; no withdrawal from candidacy), and GS 163-329(b1) (related to method to fill vacancy in office created after primary filing period opens) to eliminate provisions related to the election of superior court judge candidates for a group of offices by receiving the highest number of votes, equal in number to the number of positions to be filled.

Intro. by Wainwright.

GS 163