GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2011

H D

HOUSE BILL 112 PROPOSED COMMITTEE SUBSTITUTE H112-PCS80232-ST-31

Short Title:	Realign Wake Superior Court Districts.	(Public)
Sponsors:		
Referred to:		

February 17, 2011

1 A BILL TO BE ENTITLED

AN ACT TO REALIGN THE DISTRICTS FOR WAKE COUNTY SUPERIOR COURT JUDGE SEATS TO PROVIDE FOR SINGLE MEMBER DISTRICTS AND EQUAL REPRESENTATION IN THOSE DISTRICTS, WHICH ARE TO BE DETERMINED.

The General Assembly of North Carolina enacts:

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10 11 **SECTION 1.** G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

12 13 14	Judicial Division	Court District	Counties	No. of Resident Judges
15				
16	First	1	Camden, Chowan,	2
17			Currituck,	
18			Dare, Gates,	
19			Pasquotank,	
20			Perquimans	
21	First	2	Beaufort, Hyde,	1
22			Martin,	
23			Tyrrell, Washington	
24	First	3A	Pitt	2
25	Second	3B	Carteret, Craven,	3
26			Pamlico	
27	Second	4A	Duplin, Jones,	1
28			Sampson	
29	Second	4B	Onslow	1
30	Second	5A	(part of New Hanover,	1
31			part of Pender	
32			see subsection (b))	
33		5B	(part of New Hanover,	1
34			part of Pender	



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		see subsection (b))		
	5C	(part of New Hanover,	1	
		see subsection (b))		
First	6A	Halifax	1	
First	6B	Bertie, Hertford,	1	
		Northampton		
First	7A	Nash	1	
First	7B	(part of Wilson,	1	
2 1150	, 2	part of Edgecombe,	-	
		see subsection (b))		
First	7C	(part of Wilson,	1	
1 1130	70	part of Edgecombe,	1	
		see subsection (b))		
Second	8A	Lenoir and Greene	1	
Second	8B	Wayne	1	
Third	9	Franklin, Granville,	$\overset{1}{2}$	
Tilliu	9	Vance, Warren	2	
Third	0.4	•	1	
	9A	Person, Caswell	1	
Third	10A	(part of Wake,	<u>21</u>	
7D1 ' 1	10D	see subsection (b))	0.1	
Third	10B	(part of Wake,	2 1	
	100	see subsection (b))	4	
Third	10C	(part of Wake,	1	
		see subsection (b))		
Third	10D	(part of Wake,	1	
		see subsection (b))		
<u>Third</u>	<u>10E</u>	(part of Wake,	<u>1</u>	
		see subsection (b))		
<u>Third</u>	<u>10F</u>	(part of Wake,	<u>1</u>	
		see subsection (b))		
Fourth	11A	Harnett,	1	
		Lee		
Fourth	11B	Johnston	1	
Fourth	12A	(part of Cumberland,	1	
		see subsection (b))		
Fourth	12B	(part of Cumberland,	1	
		see subsection (b))		
Fourth	12C	(part of Cumberland,	2	
		see subsection (b))		
Fourth	13A	Bladen, Columbus	1	
Fourth	13B	Brunswick	1	
Third	14A	(part of Durham,	1	
		see subsection (b))	-	
Third	14B	(part of Durham,	3	
111114	1111	see subsection (b))	3	
Third	15A	Alamance	2	
Third	15A 15B	Orange, Chatham	$\frac{2}{2}$	
Fourth	15B 16A	Scotland, Hoke	1	
	16A 16B	Robeson	$\frac{1}{2}$	
Fourth				
Fifth	17A	Rockingham	2 2	
Fifth	17B	Stokes, Surry	\angle	

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1	Fifth	18A	(part of Guilford,	1	
2			see subsection (b))		
3	Fifth	18B	(part of Guilford,	1	
4			see subsection (b))		
5	Fifth	18C	(part of Guilford,	1	
6			see subsection (b))		
7	Fifth	18D	(part of Guilford,	1	
8			see subsection (b))		
9	Fifth	18E	(part of Guilford,	1	
10		-	see subsection (b))		
11	Sixth	19A	Cabarrus	1	
12	Fifth	19B	Montgomery, Randolph	1	
13	Sixth	19C	Rowan	1	
14	Fifth	19D	Moore	1	
15	Sixth	20A	Anson, Richmond,	2	
16		2011	Stanley	_	
17	Sixth	20B	Union	2	
18	Fifth	21A	(part of Forsyth,	1	
19	1 1101	2111	see subsection (b))	1	
20	Fifth	21B	(part of Forsyth,	1	
21	1 11111	210	see subsection (b))	1	
22	Fifth	21C	(part of Forsyth,	1	
23	1 11111	210	see subsection (b))	1	
24	Fifth	21D	(part of Forsyth,	1	
25	1 11111	210	see subsection (b))	1	
26	Sixth	22A	Alexander, Iredell	2	
27	Sixth	22B	Davidson, Davie	$\overset{2}{2}$	
28	Fifth	22B 23	Alleghany, Ashe,	1	
29	THUI	23	Wilkes, Yadkin	1	
30	Eighth	24	Avery, Madison,	2	
31	Lightii	24	Mitchell,	2	
32			Watauga, Yancey		
33	Seventh	25A	Burke, Caldwell	2	
34	Seventh	25B	Catawba	$\overset{2}{2}$	
35	Seventh	26A	(part of Mecklenburg,	$\frac{2}{2}$	
36	Seventii	20A	see subsection (b))	2	
37	Seventh	26B	(part of Mecklenburg,	3	
38	Seventii	20 D	see subsection (b))	3	
39	Carrenth	26C	1 //	2	
39 40	Seventh	20C	(part of Mecklenburg,	2	
40 41	Carrenth	27A	see subsection (b)) Gaston	2	
41	Seventh Seventh	27A 27B		2 2	
			Cleveland, Lincoln	$\frac{2}{2}$	
43	Eighth	28	Buncombe		
44	Eighth	29A	McDowell,	1	
45	F: 1.4	200	Rutherford	1	
46	Eighth	29B	Henderson, Polk,	1	
47	T: 1.4	20.4	Transylvania	1	
48	Eighth	30A	Cherokee, Clay,	1	
49			Graham, Macon,		
50	T: 1.4	200	Swain		
51	Eighth	30B	Haywood, Jackson"		

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SECTION 2. G.S. 7A-41(b) reads as rewritten:

- "(b) For superior court districts of less than a whole county, or with part of one county with part of another, the composition of the district and the number of judges is as follows:
 - (1) Superior Court District 7B consists of County Commissioner Districts 1, 2, and 3 of Wilson County, Blocks 127 and 128 of Census Tract 6 of Wilson County, and Townships 12 and 14 of Edgecombe County. It has one judge.
 - (2) Superior Court District 7C consists of the remainder of Edgecombe and Wilson Counties not in Judicial District 7B. It has one judge.
 - Superior Court District 10A consists of Wake County Precincts: (3) VTD: 01-01, VTD: 01-02, VTD: 01-06, VTD: 01-07, VTD: 01-14, VTD: VTD: 01-23, VTD: 01-29. VTD: 01-31, VTD: 01-32. 01-16. VTD: 01-33, VTD: 01-41. VTD: 01-48, VTD: 01-49, VTD: 04-01. VTD: 04-02. VTD: 04-03. VTD: 04-04. VTD: 04-06. VTD: 04-07. VTD: VTD: 04-11 VTD: 04-12, 04-10.VTD: 04-13, VTD: 04-14, VTD: VTD: 04-16. VTD: 04-19. VTD: 04-20, 04-15. VTD: 04-21. VTD: 11-02. VTD: 18-01, VTD: 18-04, VTD: 18-06, VTD: 18-08. 01-12. 01-13, 01-14, 01-18, 01-19, 01-20, 01-22, 01-25, 01-26, 01-28, 01-34, 01-35, 01-40, 01-50, 17-03, and 17-07. It has two judges one judge.
 - (4) Superior Court District 10B consists of Wake County Precincts: VTD: 01-12, VTD: 01-13, VTD: 01-18, VTD: 01-19, VTD: 01-20, VTD: 01-21.VTD: 01-22, VTD: 01-25, VTD: 01-26, VTD: 01-27, VTD: 01-34, VTD: 01-38, VTD: 01-35, VTD: 01-40, VTD: 01-46, VTD: 01-50. 13-01: VTD: Block(s) 1830527043000, 1830527043023, 1830527043024, 1830540181012, 1830540181013, 1830540181014, 1830540181015, 1830540181016, 1830540181017. 1830540181018, 1830540181027. 1830540181033, 1830540181034. 1830541041022, 1830541041023. 1830541041024. 1830541041025. 1830541041026, 1830541041028, 1830541041030, 1830541041031. 1830541041032, 1830541041033 1830541041039 1830541041040. 1830541041041, 1830541041042, 1830541041043 1830541041044. 1830541041045, 1830541041046. 1830541041047 1830541041048. 1830541041049. 1830541041050, 1830541042000 1830541042002. 1830541042010, 1830541042023, 1830541042024. 1830541042025. 1830541042026, 1830541042027. 1830541042029 1830541042030. 1830541043014, 1830541043016. 1830541043017. 1830541043018. 1830541043015. 1830541043019, 1830541043045; VTD: 13-05, VTD: 13-07, VTD: 16-02, VTD: 16-03, VTD: 16-06, VTD: 16-08, VTD: 17-06, VTD: 17-07, VTD: VTD: 17-10, VTD: 17-11. 01-01, 01-02, 01-03, VTD: 17-09. 01-04, 01-05, 01-06, 01-07, 01-07A, 01-09, 01-10, 01-11, 01-16, 01-21, 01-23, 01-27, 01-29, 01-31, 01-32, 01-33, 01-36, 01-41, 01-48, 01-49, 03-00, 04-01, 04-02, 04-03, 04-04, 04-05, 04-06, 04-07, 04-08, 04-09, 04-10, 04-11, 04-12, 04-13, 04-14, 04-15, 04-16, 04-17, 04-18, 04-19, 04-20, 05-01, 05-02, 06-01, 06-02, 06-03, 07-01, 07-10, 11-01, 11-02, 12-01, 12-02, 12-03, 12-04, 12-05, 12-06, 18-01, 18-02, 18-03, 18-04, 18-05, 18-06, 18-07, 18-08, 20-01, 20-02, 20-03, 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, and 20-10. It has two judges one judge.
 - (5) Superior Court District 10C consists of Wake County Precincts: VTD: 02-01, VTD: 02-02, VTD: 02-03, VTD: 02-04, VTD: 02-05, VTD: 02-06, VTD: 07-02, VTD: 07-06, VTD: 07-07, VTD: 07-11, VTD: 07-12,VTD: 08-02, VTD: 08-03, VTD: 08-04, VTD: 08-05. VTD: VTD: 08-07, VTD: 08-08, VTD: 08-09. VTD: 08-10, 08-06, VTD:

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VTD:
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                             VTD: 13-10,
                                           VTD: 13-11,
                                                         VTD: 14-01.
                                                                       VTD: 14-02
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                     19-03.
                             VTD: 19-04,
                                           VTD: 19-05,
                                                         VTD: 19-06,
                                                                       VTD: 19-07,
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                                           VTD: 19-11,
                                                         VTD: 19-12. 02-01, 02-02, 02-03,
                     19-09.
                     02 04, 02 05, 02 06, 07 02, 07 12, 08 01, 08 02, 08 03, 08 04, 08 05,
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                     08-06, 08-07, 08-08, 09-01, 09-02, 09-03, 10-01, 10-02, 10-03, 10-04,
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                     14-01, 14-02, 15-01, 15-02, 15-03, 15-04, 16-01, 16-02, 16-03, 16-04,
                     16.05, 16.06, 16.07, 19.01, 19.02, 19.03, 19.04, 19.05, 19.06, 19.07, and
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                     19-08. It has one judge.
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                     Superior Court District 10D consists of Wake County Precincts:
              (6)
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- VTD: 01-03, VTD: 01-04, VTD: 01-05, VTD: 01-09, VTD: 01-10, VTD: VTD: 01-15, VTD: 01-17, 01-11.VTD: 01-30, VTD: 01-36, VTD: 01-37, VTD: 01-43, VTD: 01-39. VTD: 01-45, VTD: 01-51. VTD: VTD: 04-09. VTD: 04-18. 04-05. VTD: 04-08. VTD: 04-17. VTD: 05-01. VTD: 05-03. VTD: 05-04, VTD: 05-05. VTD: 05-06, VTD: <u>07</u>-01. VTD: 07-03, VTD: 07-04, VTD: 07-05, VTD: 07-09. VTD: VTD: 07-13, VTD: 11-01. VTD: 20-02. VTD: 20-04, VTD: 07-10, 20-10. 01-15, 01-17, 01-30, 01-37, 01-38, 01-39, 01-42, 01-43, 01-44, 01-45, 01-46, 01-47, 01-51, 07-03, 07-04, 07-05, 07-06, 07-07, 07-07A, 07-09, 07-11, 13-01, 13-02, 13-03, 13-04, 13-05, 17-01, 17-02, 17-04, 17-05, 17-06, and 17-08.It has one judge.
- Superior Court District 10E consists of Wake County Precincts: VTD: (6a) 01-28, VTD: 01-42, VTD: 01-44, VTD: 01-47, VTD: 09-01, VTD: VTD: 09-03, VTD: 10-03, 09-02. VTD: 10-01, VTD: 10-02, VTD: 10-04, VTD: 13-01: Block(s) 1830541041000, 1830541041001, 1830541041002, 1830541041003. 1830541041004. 1830541041005, 1830541041006, 1830541041007, 1830541041009, 1830541041008. 1830541041010. 1830541041011. 1830541041012. 1830541041013, 1830541041014, 1830541041015, 1830541041016, 1830541041017, 1830541041019. 1830541041018, 1830541041020, 1830541041021, 1830541042028; VTD: 13-02, VTD: 13-06, VTD: 13-08, VTD: 13-09, VTD: 15-01, VTD: 15-03, VTD: 15-04, VTD: 16-01, VTD: 16-04, VTD: VTD: 16-09, VTD: 17-01, VTD: 17-02, VTD: 16-07, 17-03, VTD: 17-04, VTD: 17-05, VTD: 19-16, VTD: 19-17. It has one judge.
- Superior Court District 10F consists of Wake County Precincts: VTD: (6b) 03-00, VTD: 06-01, VTD: 06-04, VTD: 06-05, VTD: 06-06, VTD: 06-07, VTD: 12-01, VTD: 12-02, VTD: 12-04, VTD: 12-05, VTD: 12-06, VTD: 12-07, VTD: 12-08, VTD: 12-09, VTD: 15-02. VTD: VTD: 18-03, VTD: 18-05, VTD: 18-07. VTD: 20-01, 18-02, VTD: 20-03. VTD: 20-05, VTD: 20-06, VTD: 20-08, VTD: 20-09. VTD: 20-11, VTD: 20-12. It has one judge.
- Superior Court District 12A consists of that part of Cross Creek Precinct #18 (7) north of Raeford Road, Montclair Precinct, that part of Precinct 71-1 not in Judicial District 12B, Precinct 71-2, Morganton #2 Precinct, Cottonade Precinct, Cumberland Precincts 1 and 2, and Brentwood Precinct. It has one judge.
- Superior Court District 12B consists of all of State House of Representatives (8) District 17, except for Westarea Precinct, and it also includes that part of Cross Creek Precinct #15 east of Village Drive. It has one judge.
- (9) Superior Court District 12C consists of the remainder of Cumberland County not in Superior Court Districts 12A or 12B. It has two judges.

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- Superior Court District 14A consists of Durham Precincts 9, 11, 12, 13, 14, 1 (10)2 15, 18, 34, 40, 41, and 42, and that part of Durham Precinct 39 east of North 3 Carolina Highway #751. It has one judge. Effective with the 2004 election, in addition to the boundaries provided for 4 5 in this section, Superior Court District 14A also includes that portion of 6 Durham Precinct 53 east of North Carolina Highway #751. 7 Superior Court District 14B consists of the remainder of Durham County not (11)8 in Superior Court District 14A. It has three judges. 9 Superior Court District 18A consists of Fentress Precincts 1 and 2: (12)10 Greensboro Precincts 4, 5, 6, 46, 52, 67, 68, 69, 70, 71, 72, 73, 74, and 75; 11 North Clay Precinct; Pleasant Garden Precincts 1 and 2; and South Clay 12 Precinct. It has one judge. 13 Superior Court District 18B consists of High Point Precincts 1, 2, 3, 4, 5, 6, (13)14 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 15 27; HP Precinct; Jamestown Precincts 1 and 5; North Deep River Precinct; 16 and South Deep River Precinct. It has one judge. 17 (14)Superior Court District 18C consists of Center Grove Precincts 1, 2, and 3; Friendship Precincts 1, 2, 3, 4, and 5; Greensboro Precincts 17, 30, 31, 32, 18 19 33, 34, 36, 37, 38, 39, 40A, 40B, 41, 42, 43, 64, 65, and 66; Jamestown 20 Precincts 2, 3, and 4; Monroe Precinct 3; North Center Grove Precinct; Oak 21 Ridge Precincts 1 and 2; Summerfield Precincts 1, 2, 3, and 4; and 22 Stokesdale Precinct. It has one judge. 23 Superior Court District 18D consists of Greensboro Precincts 1, 11, 12, 13, (15)24 14, 15, 16, 19, 35, 44, 45, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 25 61, 62, and 63; and Sumner Precincts 1, 2, 3, and 4. It has one judge. 26 Superior Court District 18E consists of Gibsonville Precinct; Greene (16)27 Precinct; Greensboro Precincts 2, 3, 7, 8, 9, 10, 18, 20, 21, 22, 23, 24, 25, 26, 28 27, 28, and 29; Jefferson Precincts 1, 2, 3, and 4; Monroe Precincts 1 and 2; 29 North Madison Precinct; North Washington Precinct; Rock Creek Precincts 30 1 and 2; South Madison Precinct; and South Washington Precinct. It has one 31 iudge. 32 Superior Court District 21A consists of Forsyth County Precincts 051, 052, (17)33 053, 054, 055, 071, 072, 073, 074, 075, 091, 092, 122, 123, 131, 132, 133, 34 701, 702, 703, 704, 705, 706, 707, 708, 709, 806, 807, and 808. It has one 35 Superior Court District 21B consists of Forsyth County Precincts 042, 043, 36 (18)37 501, 502, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606, 607, 901, 38 902, 903, 904, 905, and 907. It has one judge. 39 (19)Superior Court District 21C consists of Forsyth County Precincts 011, 012, 40 013, 014, 015, 021, 031, 032, 033, 034, 061, 062, 063, 064, 065, 066, 067, 41 068, 101, 111, 112, 801, 802, 803, 804, 805, 809, 906, 908, and 909. It has 42 one judge. 43 (20)Superior Court District 21D consists of Forsyth County Precincts 081, 082, 44 083, 201, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 401, 402, 45 403, 404, and 405. It has one judge. 46 (21)Superior Court District 26A consists of Charlotte Precincts 11, 12, 13, 14, 47 15, 16, 22, 23, 24, 25, 26, 27, 31, 33, 39, 41, 42, 46, 52, 54, 55, 56, 58, 60,
 - (22)Superior Court District 26B consists of Charlotte Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 17, 18, 20, 21, 28, 29, 30, 32, 34, 35, 36, 37, 38, 43, 44, 45, 47, 51,

77, 78, and 82, and Long Creek Precinct #2 of Mecklenburg County. It has

two judges.

- 1 61, 62, 63, 65, 66, 67, 68, 69, 71, 74, 83, 84, and 86, Crab Orchard Precincts 2 1 and 2, and Mallard Creek Precinct 1. It has two judges. 3 (23) Superior Court District 26C consists of the remainder of Mecklenburg
 - (23) Superior Court District 26C consists of the remainder of Mecklenburg County not in Superior Court Districts 26A or 26B. It has two judges.
 - (24), (25) Repealed by Session Laws 2003-284, s. 13.14.(b), effective July 1, 2003.
 - (26) Superior Court District 5A consists of the New Hanover County precincts of Cape Fear #1, Cape Fear #2, Harnett #1, Harnett #4, Harnett #6, Wilmington #1, Wilmington #2, Wilmington #3, Wilmington #4, Wilmington #6, Wilmington #7, Wilmington #8, Wilmington #9, Wilmington #10, Wilmington #15, Wilmington #19, and the part of Harnett #7 that consists of the part of Block Group 6 of 1990 Census Tract 0116.02 containing Blocks 601B, 602B, 603, 611, 612, 613, 614, 615, 616, 617, 618, 619; and the Pender County precincts of Canetuck, Caswell, Columbia, Grady, Upper Holly, and Upper Union. It has one judge.
 - (27) Superior Court District 5B consists of the New Hanover County precincts of Cape Fear #3, Harnett #2, Harnett #5, the part of Harnett #7 that is not in Superior Court District 5A, Harnett #8, Wrightsville Beach, Wilmington #11, Wilmington #12, Wilmington #13, Wilmington #22, Wilmington #24, and the part of Harnett #3 that consists of the part of Block Group 1 of 1990 Census Tract 0119.01 containing Blocks 102, 105, 106A, 106B, 107A, 107B, 107C, 107D, and 108, the part of Block Group 1 of 1990 Census Tract 0119.02 containing Blocks 103, 104, and 114, and the part of Block Group 1 of 1990 Census Tract 0120.01 containing Blocks 101A, 101B, 101C, 101D, 102A, 102B, 103, 104, 105A, 105B, 115A, and 115B; and the following precincts of Pender County: North Burgaw, South Burgaw, Middle Holly, Long Creek, Penderlea, Lower Union, Rocky Point, Lower Topsail, Upper Topsail, Scotts Hill, and Surf City. It has one judge.
 - (28) Superior Court District 5C consists of the part of New Hanover County that is not in Superior Court Districts 5A or 5B. It has one judge."

SECTION 3. G.S. 7A-41(c)(2a) reads as rewritten:

"(2a) For Wake County, the precincts are as they were adopted by the Wake County Board of Elections and in effect as of January 1, 2001; the names and boundaries of voting tabulation districts and blocks specified in this section are as shown on the 2010 Census Redistricting TIGER/Line Shapefiles."

SECTION 4. The judgeships established for Wake County Superior Court, as created by Sections 1 and 2 of this act, shall be filled as follows, according to district:

- (1) District 10A, by Michael R. Morgan whose term expires on December 31, 2012.
- (2) District 10B, by Paul C. Ridgeway whose term expires on December 31, 2014.
- (3) District 10C, by Paul G. Gessner whose term expires on December 31, 2014.
- (4) District 10D, by Donald Stephens whose term expires on December 31, 2012.
- (5) District 10E, by Abraham P. Jones whose term expires on December 31, 2012
- (6) District 10F, by Howard E. Manning, Jr., whose term expires December 31, 2016.
- **SECTION 5.** This act becomes effective January 1, 2013, and applies to the 2012 election.