

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 402

AMENDMENT NO. A13
(to be filled in by
Principal Clerk)

S402-ALL-67 [v.4]

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Comm. Sub. [YES]
Amends Title [NO]
Fourth Edition

Date _____, 2013

Representative Burr

1 moves to amend the bill on page 246, line 32, through page 254, line 3,
2 by rewriting those lines to read:

3
4 **"CONSOLIDATE DISTRICT COURT AND PROSECUTORIAL DISTRICTS 6A AND**
5 **6B/RESTRUCTURE SUPERIOR COURT, DISTRICT COURT, AND**
6 **PROSECUTORIAL DISTRICTS 16A, 19B, AND 20A/AUTHORIZE ADDITIONAL**
7 **DISTRICT COURT JUDGE FOR DISTRICT COURT DISTRICT 27B**

8 **SECTION 18B.22.(a)** G.S. 7A-41(a) reads as rewritten:

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

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



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1			part of Pender	
2			see subsection (b))	
3		5B	(part of New Hanover,	1
4			part of Pender	
5			see subsection (b))	
6		5C	(part of New Hanover,	1
7			see subsection (b))	
8	First	6A	Halifax	1
9	First	6B	Bertie, Hertford,	1
10			Northampton	
11	First	7A	Nash	1
12	First	7B	(part of Wilson,	1
13			part of Edgecombe,	
14			see subsection (b))	
15	First	7C	(part of Wilson,	1
16			part of Edgecombe,	
17			see subsection (b))	
18	Second	8A	Lenoir and Greene	1
19	Second	8B	Wayne	1
20	Third	9	Franklin, Granville,	2
21			Vance, Warren	
22	Third	9A	Person, Caswell	1
23	Third	10A	(part of Wake,	1
24			see subsection (b))	
25	Third	10B	(part of Wake,	1
26			see subsection (b))	
27	Third	10C	(part of Wake,	1
28			see subsection (b))	
29	Third	10D	(part of Wake,	1
30			see subsection (b))	
31	Third`	10E	(part of Wake,	1
32			see subsection (b))	
33	Third	10F	(part of Wake,	1
34			see subsection (b))	
35	Fourth	11A	Harnett,	1
36			Lee	
37	Fourth	11B	Johnston	1
38	Fourth	12A	(part of Cumberland,	1
39			see subsection (b))	
40	Fourth	12B	(part of Cumberland,	1
41			see subsection (b))	
42	Fourth	12C	(part of Cumberland,	2
43			see subsection (b))	

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1	Fourth	13A	Bladen, Columbus	1
2	Fourth	13B	Brunswick	1
3	Third	14A	(part of Durham,	1
4			see subsection (b))	
5	Third	14B	(part of Durham,	3
6			see subsection (b))	
7	Third	15A	Alamance	2
8	Third	15B	Orange, Chatham	2
9	Fourth	16A	<u>Anson, Richmond,</u>	
10			Scotland, Hoke	<u>4 2</u>
11	Fourth	16B	Robeson	2
12	Fifth	17A	Rockingham	2
13	Fifth	17B	Stokes, Surry	2
14	Fifth	18A	(part of Guilford,	1
15			see subsection (b))	
16	Fifth	18B	(part of Guilford,	1
17			see subsection (b))	
18	Fifth	18C	(part of Guilford,	1
19			see subsection (b))	
20	Fifth	18D	(part of Guilford,	1
21			see subsection (b))	
22	Fifth	18E	(part of Guilford,	1
23			see subsection (b))	
24	Sixth	19A	Cabarrus	1
25	Fifth	19B	Montgomery, Randolph	1
26	Sixth	19C	Rowan	1
27	Fifth <u>Fourth</u>	19D	Moore	1
28	Sixth	20A	Anson, Richmond,	<u>2 1</u>
29			<u>Stanley Stanly</u>	
30	Sixth	20B	Union	2
31	Fifth	21A	(part of Forsyth,	1
32			see subsection (b))	
33	Fifth	21B	(part of Forsyth,	1
34			see subsection (b))	
35	Fifth	21C	(part of Forsyth,	1
36			see subsection (b))	
37	Fifth	21D	(part of Forsyth,	1
38			see subsection (b))	
39	Sixth	22A	Alexander, Iredell	2
40	Sixth	22B	Davidson, Davie	2
41	Fifth	23	Alleghany, Ashe,	1
42			Wilkes, Yadkin	
43	Eighth	24	Avery, Madison,	2

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1			Mitchell,	
2			Watauga, Yancey	
3	Seventh	25A	Burke, Caldwell	2
4	Seventh	25B	Catawba	2
5	Seventh	26A	(part of Mecklenburg,	2
6			see subsection (b))	
7	Seventh	26B	(part of Mecklenburg,	3
8			see subsection (b))	
9	Seventh	26C	(part of Mecklenburg,	2
10			see subsection (b))	
11	Seventh	27A	Gaston	2
12	Seventh	27B	Cleveland, Lincoln	2
13	Eighth	28	Buncombe	2
14	Eighth	29A	McDowell,	1
15			Rutherford	
16	Eighth	29B	Henderson, Polk,	1
17			Transylvania	
18	Eighth	30A	Cherokee, Clay,	1
19			Graham, Macon,	
20			Swain	
21	Eighth	30B	Haywood, Jackson	1."

22 **SECTION 18B.22.(c)** The two superior court judgeships established for Superior
 23 Court District 16A by subsection (a) of this section shall be filled by the superior court judge
 24 currently serving Superior Court District 16A who resides in Scotland County and by the
 25 superior court judge currently serving Superior Court District 20A who resides in Richmond
 26 County. The terms of those judges expire December 31, 2016, and successors shall be elected
 27 in the 2016 general election for eight-year terms commencing January 1, 2017.

28 **SECTION 18B.22.(e)** The superior court judgeship established for Superior Court
 29 District 20A by subsection (a) of this section shall be filled by the superior court judge
 30 currently serving Superior Court District 20A who resides in Stanly County. The term of that
 31 judge expires December 31, 2016, and a successor shall be elected in the 2016 general election
 32 for an eight-year term commencing January 1, 2017.

33 **SECTION 18B.22.(f)** G.S. 7A-133(a) reads as rewritten:

34 "(a) Each district court district shall have the numbers of judges as set forth in the
 35 following table:

36	District	Judges	County
37			
38	1	5	Camden
39			Chowan
40			Currituck
41			Dare
42			Gates
43			Pasquotank

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1			Perquimans
2	2	4	Martin
3			Beaufort
4			Tyrrell
5			Hyde
6			Washington
7	3A	5	Pitt
8	3B	6	Craven
9			Pamlico
10			Carteret
11	4	8	Sampson
12			Duplin
13			Jones
14			Onslow
15	5	9	New Hanover
16			Pender
17	6A	3	Halifax
18	6B <u>6</u>	3 <u>4</u>	Northampton
19			Bertie
20			Hertford
21			<u>Halifax</u>
22	7	7	Nash
23			Edgecombe
24			Wilson
25	8	6	Wayne
26			Greene
27			Lenoir
28	9	4	Granville
29			(part of Vance
30			see subsection (b))
31			Franklin
32	9A	2	Person
33			Caswell
34	9B	2	Warren
35			(part of Vance
36			see subsection (b))
37	10	19	Wake
38	11	11	Harnett
39			Johnston
40			Lee
41	12	10	Cumberland
42	13	6	Bladen
43			Brunswick

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1			Columbus
2	14	7	Durham
3	15A	4	Alamance
4	15B	5	Orange
5			Chatham
6	16A	<u>3</u> <u>6</u>	Scotland
7			Hoke
8			<u>Anson</u>
9			<u>Richmond</u>
10	16B	5	Robeson
11	17A	3	Rockingham
12	17B	4	Stokes
13			Surry
14	18	14	Guilford
15	19A	4	Cabarrus
16	19B	7	Montgomery
17			Moore
18			Randolph
19	19C	5	Rowan
20	20A	<u>4</u> <u>2</u>	Stanly
21			Anson
22			Richmond
23	20B	1	(part of Union
24			see subsection (b))
25	20C	2	(part of Union
26			see subsection (b))
27	20D	1	Union
28	21	10	Forsyth
29	22A	5	Alexander
30			Iredell
31	22B	6	Davidson
32			Davie
33	23	4	Alleghany
34			Ashe
35			Wilkes
36			Yadkin
37	24	4	Avery
38			Madison
39			Mitchell
40			Watauga
41			Yancey
42	25	9	Burke
43			Caldwell

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1			Catawba
2	26	21	Mecklenburg
3	27A	7	Gaston
4	27B	5 6	Cleveland
5			Lincoln
6	28	7	Buncombe
7	29A	3	McDowell
8			Rutherford
9	29B	4	Henderson
10			Polk
11			Transylvania
12	30	6	Cherokee
13			Clay
14			Graham
15			Haywood
16			Jackson
17			Macon
18			Swain."

SECTION 18B.22.(g) The four district judgeships established for District Court District 6 by subsection (f) of this section shall be filled by:

- (1) The three district court judges currently serving District Court District 6A who reside in Halifax County whose terms expire December 31, 2016. Successors shall be elected in the 2016 general election for four-year terms commencing January 1, 2017.
- (2) The district court judge currently serving District Court District 6B who resides in Northampton County whose term expires December 31, 2016. A successor shall be elected in the 2016 general election for a four-year term commencing January 1, 2017.

SECTION 18B.22.(h) The six district court judgeships established for District Court District 16A by subsection (f) of this section shall be filled by:

- (1) The district court judge currently serving District Court District 16A who resides in Scotland County whose term expires December 31, 2016.
- (2) The district court judge currently serving District Court District 20A who resides in Richmond County whose term expires December 31, 2016.
- (3) The district court judge currently serving District Court District 20A who resides in Anson County whose term expires December 31, 2016.
- (4) Election of three judges in the 2014 general election for four-year terms commencing January 1, 2015.

SECTION 18B.22.(i) The additional district court judgeship authorized for District Court District 27B by subsection (f) of this section shall be filled by election of a district court judge in the 2014 general election for a four-year term commencing January 1, 2015.

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1 **SECTION 18B.22.(j)** The two district court judgeships established for District
2 Court District 20A by subsection (f) of this section shall be filled by election of two district
3 court judges in the 2014 general election for four-year terms commencing January 1, 2015.

4 **SECTION 18B.22.(k)** G.S. 7A-60(a1) reads as rewritten:

5 "**§ 7A-60. District attorneys and prosecutorial districts.**

6 (a) The State shall be divided into prosecutorial districts, as shown in subsection (a1) of
7 this section. There shall be a district attorney for each prosecutorial district, as provided in
8 subsections (b) and (c) of this section who shall be a resident of the prosecutorial district for
9 which elected. A vacancy in the office of district attorney shall be filled as provided in Article
10 IV, Sec. 19 of the Constitution.

11 (a1) The counties of the State are organized into prosecutorial districts, and each district
12 has the counties and the number of full-time assistant district attorneys set forth in the
13 following table:

14	15	16	17
18	19	20	21
22	23	24	25
26	27	28	29
30	31	32	33
34	35	36	37
38	39	40	41
42	43	44	45
	Prosecutorial		No. of Full-Time
	District	Counties	Asst. District
	1	Camden, Chowan, Currituck,	Attorneys
		Dare, Gates, Pasquotank,	
		Perquimans	11
	2	Beaufort, Hyde, Martin,	8
		Tyrrell, Washington	
	3A	Pitt	11
	3B	Carteret, Craven, Pamlico	12
	4	Duplin, Jones, Onslow,	18
		Sampson	
	5	New Hanover, Pender	18
	6A	Halifax	5
	6B6	Bertie, <u>Halifax</u> , Hertford,	5 <u>10</u>
		Northampton	
	7	Edgecombe, Nash, Wilson	18
	8	Greene, Lenoir, Wayne	14
	9	Franklin, Granville,	10
		Vance, Warren	
	9A	Person, Caswell	6
	10	Wake	41
	11A	Harnett, Lee	9
	11B	Johnston	10
	12	Cumberland	23
	13	Bladen, Brunswick, Columbus	13
	14	Durham	18
	15A	Alamance	11
	15B	Orange, Chatham	10
	16A	Scotland, Hoke	7

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1	16B	Robeson	12
2	<u>16C</u>	<u>Anson, Richmond</u>	<u>6</u>
3	17A	Rockingham	7
4	17B	Stokes, Surry	8
5	18	Guilford	32
6	19A	Cabarrus	9
7	19B	Montgomery, Randolph	9
8	19C	Rowan	8
9	19D	Moore	5
10	20A	Anson, Richmond,	11 <u>5</u>
11		Stanly	
12	20B	Union	10
13	21	Forsyth	25
14	22A	Alexander, Iredell	11
15	22B	Davidson, Davie	11
16	23	Alleghany, Ashe, Wilkes,	8
17		Yadkin	
18	24	Avery, Madison, Mitchell,	7
19		Watauga, Yancey	
20	25	Burke, Caldwell, Catawba	18
21	26	Mecklenburg	58
22	27A	Gaston	14
23	27B	Cleveland,	11
24		Lincoln	
25	28	Buncombe	14
26	29A	McDowell, Rutherford	7
27	29B	Henderson, Polk, Transylvania	8
28	30	Cherokee, Clay, Graham,	10
29		Haywood, Jackson, Macon,	
30		Swain.	

31"

32 **SECTION 18B.22.(l)** The district attorney position established for Prosecutorial
 33 District 6 by subsection (k) of this section shall be filled by election in the 2014 general
 34 election for a four-year term commencing January 1, 2015. The district attorney positions for
 35 current Prosecutorial Districts 6A and 6B shall expire December 31, 2014.

36 **SECTION 18B.22.(n)** The district attorney position established for Prosecutorial
 37 District 20A by subsection (k) of this section shall be filled by election in the 2014 general
 38 election for a four-year term commencing January 1, 2015.

39 **SECTION 18B.22.(p)** The district attorney position established for Prosecutorial
 40 District 16C by subsection (k) of this section shall be filled by election in the 2014 general
 41 election for a four-year term commencing January 1, 2015.

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1 **SECTION 18B.22.(q)** This section becomes effective January 1, 2015, or, if
2 preclearance is required under Section 5 of the Voting Rights Act of 1965, the later of January
3 1, 2015, or the date of preclearance."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**