

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

FILED SENATE
Feb 26, 2019
S.B. 132
PRINCIPAL CLERK

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SENATE BILL DRS45050-MK-51

Short Title: Guilford Co. Bd. of Ed/Nonpartisan election. (Local)

Sponsors: Senators Garrett and Robinson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CHANGE THE METHOD OF ELECTION FOR MEMBERS OF THE
3 GUILFORD COUNTY BOARD OF EDUCATION FROM PARTISAN TO
4 NONPARTISAN.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 2 of Chapter 78 of the 1991 Session Laws, as amended by
7 Section 1(b) of S.L. 2013-361, reads as rewritten:

8 "Sec. 2. (a) ~~The Beginning in 2020, the~~ Board of Education of the Guilford County School
9 Administrative Unit shall be composed of nine members elected on a ~~partisan~~ basis. ~~Beginning~~
10 ~~in 2016, one shall be elected from each of eight single member districts established under~~
11 ~~subsection (g) of this section, and one shall be elected at large from within the entirety of Guilford~~
12 ~~County. The results shall be determined in accordance with G.S. 163-291.~~ nonpartisan basis in
13 each even-numbered year as terms expire. The nonpartisan primary and election method shall be
14 used with the results determined in accordance with G.S. 163A-1618. The names of the
15 candidates shall be printed on the ballot without reference to any party affiliations. The Guilford
16 County Board of Elections shall establish the candidate filing period. Members shall be elected
17 at the same time as the regular primary and general election dates for county officers.

18 (b) ~~In the 2016 general election, members for Districts 2, 4, 6 and 8 and the at large~~
19 ~~member shall be elected for two year terms. In 2018-2022, and quadrennially thereafter, members~~
20 ~~for Districts 2, 4, 6, and 8-8, as established under subsection (g) of this section, and the at large~~
21 ~~a member elected at large from within the entirety of Guilford County shall be elected for~~
22 ~~four-year terms. In 2016-2020 and quadrennially thereafter, members for Districts 1, 3, 5, and 7~~
23 ~~7, as established under subsection (g) of this section, shall be elected for four-year terms.~~
24 ~~Members shall be elected at the same time as the regular primary and general election dates for~~
25 ~~county officers.~~

26"

27 **SECTION 2.** Section 3 of Chapter 78 of the 1991 Session Laws reads as rewritten:

28 "Sec. 3. Elections shall be held in accordance with the applicable provisions of Chapter 115C
29 and Chapter 163 of the General Statutes, except ~~that the Guilford County Board of Elections shall~~
30 ~~establish the candidate filing period and for 1992 shall establish absentee voting timetables as~~
31 otherwise provided for in this act.

32 **SECTION 3.** Section 6 of Chapter 78 of the 1991 Session Laws, as amended by
33 Section 1(c) of S.L. 2013-361, reads as rewritten:

34 "Sec. 6. Vacancies on the ~~new~~ Guilford County Board of Education shall be filled by vote of
35 a majority of the remaining members of the Board present and voting for the remainder of the
36 unexpired term. Vacancies for positions elected on a partisan basis in 2016 or 2018 shall be filled



1 as provided in G.S. 115C-37.1(d). In instances in which the member being replaced was elected
2 from within a single member district, the Board must appoint a resident of the district where the
3 vacancy exists."

4 **SECTION 4.** Effective the first Monday in December of 2020, G.S. 115C-37.1 reads
5 as rewritten:

6 "**§ 115C-37.1. Vacancies in offices of county boards elected on partisan basis in certain**
7 **counties.**

8 ...

9 (d) This section shall apply only in the following counties: Alleghany, Beaufort,
10 Brunswick, Carteret, Cherokee, Clay, Cleveland, Dare, Davie, Graham, ~~Guilford~~, Harnett, Hyde,
11 Iredell, Lee, Madison, New Hanover, Onslow, Pender, Rutherford, Stanly, Vance, Washington,
12 and Yancey."

13 **SECTION 5.** This act does not affect the terms of office of any person elected in
14 2016 or 2018 to the Guilford County Board of Education. The members of the Guilford County
15 Board of Education elected in 2016 or 2018, or any member appointed by the remaining members
16 of the Board to fill a vacancy of a member elected in 2016 or 2018, shall serve until a successor
17 has been elected and qualified.

18 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes
19 law.