

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 1151  
May 18, 2020  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40598-MK-211

Short Title: Asheville-Buncombe Bd. of Trustees. (Local)

Sponsors: Representative B. Turner.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE APPOINTMENTS MADE BY THE BOARDS OF EDUCATION  
3 TO THE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE BOARD  
4 OF TRUSTEES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 115D-12(a), as amended by Section 1 of S.L. 2013-175, reads as  
7 rewritten:

8 "(a) Each community college established or operated pursuant to this Chapter shall be  
9 governed by a board of trustees consisting of 13 members, or of additional members if selected  
10 according to the special procedure prescribed by the third paragraph of this subsection, who shall  
11 be selected by the following agencies. No member of the General Assembly may be appointed  
12 to a local board of trustees for a community college.

13 ~~Group One – four trustees, elected by the board of education of the public school~~  
14 ~~administrative unit located in the administrative area of the institution. If there are two or more~~  
15 ~~public school administrative units, whether city or county units, or both, located within the~~  
16 ~~administrative area, the trustees shall be elected jointly by all of the boards of education of those~~  
17 ~~units, each board having one vote in the election of each trustee, except as provided in~~  
18 ~~G.S. 115D-59.~~ elected as follows:

- 19 (1) Two trustees elected by the Asheville City Board of Education as follows:  
20 a. The appointment of one trustee for a term commencing July 1, 2021,  
21 and quadrennially thereafter.  
22 b. The appointment of one trustee for a term commencing July 1, 2023,  
23 and quadrennially thereafter.  
24 (2) Two trustees elected by the Buncombe County Board of Education as follows:  
25 a. The appointment of one trustee for a term commencing July 1, 2022,  
26 and quadrennially thereafter.  
27 b. The appointment of one trustee for a term commencing July 1, 2024,  
28 and quadrennially thereafter.

29 No board of education shall elect a member of the board of education or any person employed  
30 by the board of education to serve as a trustee, however, any such person currently serving on a  
31 board of trustees shall be permitted to fulfill the unexpired portion of the trustee's current term.

32 Group Two – four trustees, elected by the board of commissioners of the county in which the  
33 institution is located. Provided, however, if the administrative area of the institution is composed  
34 of two or more counties, the trustees shall be elected jointly by the boards of commissioners of  
35 all those counties, each board having one vote in the election of each trustee. Provided, also, the  
36 county commissioners of the county in which the community college has established a satellite



1 campus may elect an additional two members if the board of trustees of the community college  
2 agrees. No more than one trustee from Group Two may be a member of a board of county  
3 commissioners of a given county. Should the boards of education or the boards of commissioners  
4 involved be unable to agree on one or more trustees the senior resident superior court judge in  
5 the superior court district or set of districts as defined in G.S. 7A-41.1 where the institution is  
6 located shall fill the position or positions by appointment.

7 Group Three – four trustees, appointed by the Governor.

8 Group Four – the president of the student government or the chairman of the executive board  
9 of the student body of each community college established pursuant to ~~G.S. 115D~~ this Chapter  
10 shall be an ex officio nonvoting member of the board of trustees of each said institution."

11 **SECTION 2.** This act applies only to Asheville-Buncombe Technical Community  
12 College.

13 **SECTION 3.** This act is effective when it becomes law and applies to appointments  
14 made on or after July 1, 2021.