

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 1162
PROPOSED COMMITTEE SUBSTITUTE H1162-PCS40803-BK-17

Short Title: Make Catawba Board of Ed. Elections Partisan.

(Local)

Sponsors:

Referred to:

June 1, 2022

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR PARTISAN ELECTIONS FOR THE MEMBERS OF THE
CATAWBA COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 170 of the 1985 Session Laws and Chapter 132 of the 1995 Session Laws, reads as rewritten:

"Sec. 2. In the general election in 1986, there shall be elected four members of the ~~Board of Education of Catawba County.~~ County Board of Education. In the general election in 1988, there shall be elected three members of the ~~Board of Education of Catawba County.~~ County Board of Education. All members so elected shall hold their offices for four years, and until their successors are elected and qualified. Beginning in ~~1996, as vacancies occur in the membership of the Board of Education of 2024, seats on the~~ Catawba County by reason of expiration of terms of office, they Board of Education shall be filled by nomination in the primaries and by election in the general elections according to the ~~number of vacancies to be filled and according to the~~ procedure set forth in this Act."

SECTION 2. Section 3 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 382 of the 1979 Session Laws and Chapter 132 of the 1995 Session Laws, reads as rewritten:

"Sec. 3. All persons desiring to be candidates for membership on ~~said the~~ Catawba County Board of Education shall file notice of candidacy with the Board of Elections of Catawba County ~~not earlier than noon on the first Monday in June and not later than noon on the first Friday in July in the year of the election, which at the same time as candidates for other county offices.~~ The notice shall state the name of each candidate, his age and place of residence, and which shall be accompanied by a filing fee of ten dollars (\$10.00)."

SECTION 3. Section 4 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 132 of the 1995 Session Laws, reads as rewritten:

"Sec. 4. Notwithstanding the provisions of G.S. 115C-37, the Catawba County Board of Education shall be elected on a ~~nonpartisan basis at the time set by G.S. 163-1 for the general election in each even numbered year as terms expire. The election shall be conducted on a nonpartisan plurality basis, with the results determined in accordance with G.S. 163-292. The names of the candidates shall be printed on the ballot without reference to any party affiliations.~~ partisan basis. Except as provided by this act, the election shall be conducted in accordance with the applicable provisions of Chapters 115C and 163 of the General Statutes. Members of the ~~Board of Education of Catawba County~~ Board of Education shall take office and qualify on the ~~First~~ first Monday in December following their election."



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1 **SECTION 4.** Section 5 of Chapter 874 of the 1969 Session Laws, as amended by
2 Chapter 132 of the 1995 Session Laws, reads as rewritten:

3 "Sec. 5. All candidates in any primary and all nominees in any general election held under
4 this Act shall be qualified ~~electors-voters~~ of Catawba County who reside outside the boundaries
5 of the Hickory Administrative School Unit and the Newton-Conover Administrative School Unit,
6 and shall be voted upon at large by the ~~electors-voters~~ in Catawba County who reside outside the
7 boundaries of the Hickory Administrative School Unit and the Newton-Conover Administrative
8 School Unit."

9 **SECTION 5.** Chapter 874 of the 1969 Session Laws is amended by adding a new
10 section to read:

11 "Sec. 6.1. Vacancies on the Catawba County Board of Education for positions elected on a
12 nonpartisan basis in 2020 and 2022 shall be filled by appointment by the remaining members of
13 the Board until the next election of the members of the Board, at which time the remaining
14 unexpired term of the office in which the vacancy occurs shall be filled by election. Beginning
15 in 2024, vacancies on the Catawba County Board of Education for positions elected on a partisan
16 basis shall be filled by appointment by the remaining members of the Board, in accordance with
17 G.S. 115C-37.1."

18 **SECTION 6.** This act does not affect the terms of office of any member elected in
19 2020 or 2022 to the Catawba County Board of Education. The members of the Catawba County
20 Board of Education elected in 2020 and 2022, or any member appointed to fill a vacancy for the
21 remainder of an unexpired term for a member elected in 2020 or 2022, shall serve until a
22 successor has been elected and qualified.

23 **SECTION 7.(a)** G.S. 115C-37.1(d) reads as rewritten:

24 "(d) This section shall apply only in the following counties: Alleghany, Beaufort,
25 Brunswick, Burke, Caldwell, Carteret, Catawba, Cherokee, Clay, Cleveland, Craven, Dare,
26 Davie, Graham, Guilford, Harnett, Hyde, Iredell, Lee, Lincoln, Madison, New Hanover, Onslow,
27 Pender, Rutherford, Stanly, Stokes, Surry, Vance, Washington, and Yancey."

28 **SECTION 7.(b)** This section becomes effective December 1, 2024.

29 **SECTION 8.** Except as otherwise provided, this act becomes effective December 1,
30 2023, and applies to elections held in 2024 and thereafter.