

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 308
Mar 8, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10149-NG-41B

Short Title: Alexander Co. Bd. of Ed. Referendum.

(Local)

Sponsors: Representative Elmore.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALEXANDER COUNTY TO CONDUCT A REFERENDUM ON
WHETHER TO CHANGE THE ELECTION METHOD FOR THE ALEXANDER
COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The Alexander County Board of Education shall consist of seven members who shall be nominated and elected on a partisan basis at the time of the general election in each even-numbered year as terms expire. Except as provided by this act, elections shall be conducted in accordance with Chapters 115C and 163 of the General Statutes. Candidates for election to the Alexander County Board of Education shall be nominated at the same time and manner as other county officers. Members elected shall take office and qualify on the first Monday in December of the year of their election, and the terms of their predecessors shall expire at that same time. Members shall serve until a successor has been elected and qualified.

SECTION 1.(b) For the purpose of the election of the seven members to the Alexander County Board of Education, the electoral district boundaries shall be as adopted by the Alexander County Board of Education pursuant to Chapter 253 of the 1991 Session Laws, as amended by Chapter 695 of the 1991 Session Laws. The qualified voters of each district shall nominate candidates and elect members for that district. Candidates must reside in the district for which they seek to be elected.

SECTION 1.(c) For positions elected on a nonpartisan basis in 2022 or 2024, vacancies on the Alexander County Board of Education which arise during a term of office shall be filled for the unexpired term by majority vote of the remaining members. Beginning in 2026, positions elected on a partisan basis shall be filled in accordance with G.S. 115C-37.1 for the remainder of the unexpired term.

SECTION 1.(d) This act does not affect the terms of office of any person elected in 2022 or 2024 to the Alexander County Board of Education. Each member of the Alexander County Board of Education elected in 2022 and 2024, or any member appointed to fill a vacancy for a member elected in 2022 or 2024, shall serve until a successor has been elected and qualified.

SECTION 1.(e) Effective the first Monday in December of 2026, G.S. 115C-37.1(d) reads as rewritten:

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

SECTION 1.(f) Chapter 774 of the 1969 Session Laws is repealed. All other laws and clauses of laws in conflict with the provisions of this act are hereby repealed.



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1 **SECTION 1.(g)** Except as otherwise provided, this section is effective when it
2 becomes law and applies beginning with elections conducted after the referendum conducted
3 pursuant to Section 2 of this act.

4 **SECTION 2.** Section 1 of this act becomes effective only if approved by the qualified
5 voters of Alexander County in a referendum. The election shall be conducted by the Alexander
6 County Board of Elections at the time of the general election in 2024. The question on the ballot
7 shall be:

8 " FOR AGAINST

9 Changing the method of electing Alexander County Board of Education elections
10 from nonpartisan elections to partisan elections."

11 **SECTION 3.** If a majority of the votes cast are in favor of the question, Section 1 of
12 this act becomes effective as provided therein. Otherwise, Section 1 of this act does not become
13 effective.

14 **SECTION 4.** This act is effective when it becomes law and applies to elections held
15 on or after that date.