

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
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S.B. 867
PRINCIPAL CLERK

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SENATE BILL DRS45434-MC-184

Short Title: Superintendent of Public Instruction Min Reqs. (Public)

Sponsors: Senator Chaudhuri (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH CERTAIN MINIMUM EXPERIENCE REQUIREMENTS TO
3 HOLD THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-18 reads as rewritten:

6 "§ 115C-18. Election of Superintendent of Public Instruction.

7 (a) Election; Term. – The Superintendent of Public Instruction shall be elected by the
8 qualified voters of the State in 1972 and every four years thereafter at the same time and places
9 as members of the General Assembly are elected. His term of office shall be four years and shall
10 commence on the first day of January next after election and continue until his successor is
11 elected and qualified.

12 (b) Qualifications. – In order to be eligible to hold office as the Superintendent of Public
13 Instruction, the individual must have at least one year of experience as (i) a teacher or school
14 administrator in this State or (ii) a member of a local board of education or the State Board of
15 Education.

16 (c) Vacancy. – If the office of the Superintendent of Public Instruction is vacated by
17 death, resignation, or otherwise, it shall be the duty of the Governor to appoint another to serve
18 until his successor is elected and qualified. Every such vacancy shall be filled by election at the
19 first election for members of the General Assembly that occurs more than 30 days after the
20 vacancy has taken place, and the person chosen shall hold the office for the remainder of the
21 unexpired term fixed in Article III, Sec. 7 of the Constitution of North Carolina. When a vacancy
22 occurs in the office and the term expires on the first day of January succeeding the next election
23 for members of the General Assembly, the Governor shall appoint to fill the vacancy for the
24 unexpired term of the office. Upon the occurrence of a vacancy in the office for any of the causes
25 stated herein, the Governor may appoint an interim officer to perform the duties of that office
26 until a person is appointed or elected pursuant to Article III, Sec. 7 of the Constitution of North
27 Carolina to fill the vacancy and is qualified.

28 (d) Applicability of Laws. – The time of the election of the Superintendent of Public
29 Instruction shall be in accordance with the provisions of Article 1 of Chapter 163 of the General
30 Statutes. The

31 The election, term and induction into office of the Superintendent of Public Instruction shall
32 be in accordance with the provisions of G.S. 147-4."

33 SECTION 2. There is appropriated from the General Fund to the State Board of
34 Elections the nonrecurring sum of ten thousand dollars (\$10,000) for the 2024-2025 fiscal year
35 to be used by the Board for ensuring qualification of candidates as required by Section 1 of this



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- 1 act. Funds appropriated in this section do not revert but remain available to the Board to be used
2 for purposes consistent with this act.
3 **SECTION 3.** This act is effective when it becomes law and applies to individuals
4 who have been selected to serve as a political party's candidate for election on or after that date.