

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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HOUSE BILL 31

**Senate Redistricting and Elections Committee Substitute Adopted 5/31/23
Proposed Conference Committee Substitute H31-PCCS40605-BK-2**

Short Title: Rowan-Salisbury Board of Educ. Elections.

(Local)

Sponsors:

Referred to:

January 31, 2023

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO THE ELECTIONS FOR THE MEMBERS OF THE
ROWAN-SALISBURY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The Rowan-Salisbury Board of Education shall consist of seven members elected from seven single-member residency districts, as described in Section 1(b) of this act. Members shall serve staggered four-year terms. One member shall be elected from each residency district by the qualified voters of the entire county. Only a person residing in a residency district shall be eligible as a candidate in the election for the seat apportioned to that district.

SECTION 1.(b) The seven residency districts for the Rowan-Salisbury Board of Education are as follows:

Seat 1: The North Rowan High School attendance zone, except for that portion included in the district for Seat 6.

Seat 2: The South Rowan High School attendance zone.

Seat 3: The East Rowan High School attendance zone.

Seat 4: The West Rowan High School attendance zone.

Seat 5: The Salisbury High School attendance zone, except for that portion included in the district for Seat 6.

Seat 6: All of the East Spencer, East Ward II, and West Ward III precincts; the portion of East Ward I precinct between Main Street and I-85; the portion of South Ward precinct between Main Street and I-85 and bordered on the south by the Southern Railroad line running from Harrison Street to I-85; the portion of West Ward I precinct north of a line consisting of Wilson Road, Taylor Street, Harrison Street, Fulton Street, and Monroe Street; and the portion of Milford Hills precinct between the Southern Railroad line and Highway 70 (Statesville Boulevard) west of Jake Alexander Boulevard and within the Salisbury city limits.

Seat 7: The Southeast Rowan High School attendance zone, except for that portion included in the district for Seat 6.

SECTION 1.(c) The Rowan-Salisbury Board of Education may revise the residency districts set forth in this section if an adjustment is required for a change in the attendance zones to accommodate a new school, closure of a school, or consolidation of one or more schools. A change in the boundaries of attendance zones shall not affect the ability of any person to complete the term of office.



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1 **SECTION 1.(d)** In 2024 and quadrennially thereafter, one member shall be elected
2 for Seats 3, 5, and 7 to serve four-year terms. In 2026 and quadrennially thereafter, one member
3 shall be elected for Seats 1, 2, 4, and 6 to serve four-year terms.

4 **SECTION 1.(e)** This section does not affect the term of office of any member elected
5 in 2020 or 2022 to the Rowan-Salisbury Board of Education. Any vacancy on the
6 Rowan-Salisbury Board of Education for a member elected in 2020 and 2022 shall be filled by
7 appointment by the remaining members of the Rowan-Salisbury Board of Education; to be
8 eligible for appointment to fill a vacancy, the person must reside in the residency district where
9 the vacancy exists. The members of the Rowan-Salisbury Board of Education elected in 2020
10 and 2022, or any member appointed by the remaining members of the Rowan-Salisbury Board
11 of Education to fill a vacancy for a member elected in 2020 or 2022, shall serve until a successor
12 has been elected and qualified.

13 **SECTION 1.(f)** This section is effective when it becomes law and applies to
14 elections held on or after that date.

15 **SECTION 2.(a)** Section C of Article V of A PLAN FOR MERGER OF THE
16 ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as amended by
17 Section 2 of Chapter 890 of the 1987 Session Laws, reads as rewritten:

18 "C. Permanent Board of Education – ~~At the expiration of the terms of the at large~~
19 ~~seats on the initially elected Board of Education, those at large seats will lose~~
20 ~~all district designation. However, no more than two (2) members of the Board~~
21 ~~from the same high school attendance zone will serve on the Board at any one~~
22 ~~time. In subsequent elections for the district 6 seat, only persons who are~~
23 ~~residents of Rowan County who live outside the attendance zone of the person~~
24 ~~holding the district 7 seat may be candidates. In subsequent elections for the~~
25 ~~district 7 seat, only persons who are residents of Rowan County who live~~
26 ~~outside the attendance zone of the person holding the district 6 seat may be~~
27 ~~candidates. In each of the other districts, only a person who is a resident of the~~
28 ~~attendance zone specified for a particular seat may be a candidate for that seat.~~
29 ~~Each seat shall appear separately on the ballot, but all the qualified voters of~~
30 ~~the entire county are eligible to vote on all the seats. All terms for the~~
31 ~~permanent Board will be four (4) years with elections to~~ Elections for
32 members of the Rowan-Salisbury Board of Education shall be held on a
33 non-partisan basis as provided in Chapter 163 of the General Statutes, with
34 the election held on the date for election of county officers as provided by
35 G.S. 163-1 and the results determined by a plurality basis in accordance with
36 G.S. 163-192. G.S. 163-292. Candidates shall file with the Rowan County
37 Board of ~~Elections~~ Elections, no earlier than 12:00 noon on the ~~sixteenth~~ first
38 Friday in July and no later than 12:00 noon on the ~~twelfth~~ third Friday in July
39 before the general election, a notice of candidacy ~~which shall give the~~
40 ~~candidate's name, address, place of residence and a statement that he desires~~
41 ~~to be a candidate for membership on the said Rowan Salisbury Board of~~
42 ~~Education for the seat for the district in which he resides, or the at large~~
43 ~~position for which the candidate is eligible in accordance with Article 24 of~~
44 Chapter 163 of the General Statutes."

45 **SECTION 2.(b)** Vacancies on the Rowan-Salisbury Board of Education shall be
46 filled in accordance with G.S. 115C-37(f). To be eligible for appointment to fill a vacancy, the
47 person must reside in the residency district where the vacancy exists.

48 **SECTION 2.(c)** This section is effective when it becomes law and applies to
49 elections held on or after that date.

50 **SECTION 3.(a)** Members of the Rowan-Salisbury Board of Education shall be
51 elected on a partisan basis at the time of the general election in each even-numbered year.

1 Candidates for election to the Rowan-Salisbury Board of Education shall be nominated at the
2 same time and manner as county officers. Members elected shall take office and qualify on the
3 first Monday in December of the year of the election, and the terms of their predecessors shall
4 expire at that same time. Members shall serve until a successor has been elected and qualified.
5 Except as otherwise provided by this act, the election shall be conducted in accordance with the
6 applicable provisions of Chapters 115C and 163 of the General Statutes.

7 **SECTION 3.(b)** Vacancies on the Rowan-Salisbury Board of Education shall be
8 filled in accordance with G.S. 115C-37.1. To be eligible for appointment to fill a vacancy, the
9 person must reside in the residency district where the vacancy exists.

10 **SECTION 3.(c)** Sections C and D of Article V of A PLAN FOR MERGER OF THE
11 ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as approved by the
12 State Board of Education on December 3, 1987, filed with the Secretary of State in accordance
13 with G.S. 115C-67 on December 21, 1987, and as amended by Section 2 of Chapter 890 of the
14 1987 Session Laws and Section 2 of this act, are repealed.

15 **SECTION 3.(d)** This section does not affect the term of office of any member elected
16 in 2022 or 2024 to the Rowan-Salisbury Board of Education. Any vacancy on the
17 Rowan-Salisbury Board of Education for a member elected in 2022 and 2024 shall be filled by
18 appointment by the remaining members of the Rowan-Salisbury Board of Education; to be
19 eligible for appointment to fill a vacancy, the person must reside in the residency district where
20 the vacancy exists. The members of the Rowan-Salisbury Board of Education elected in 2022
21 and 2024, or any member appointed by the remaining members of the Rowan-Salisbury Board
22 of Education to fill a vacancy for a member elected in 2022 or 2024, shall serve until a successor
23 has been elected and qualified.

24 **SECTION 4.** G.S. 115C-37.1(d) reads as rewritten:

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

29 **SECTION 5.(a)** Sections 3 and 4 of this act become effective December 1, 2026,
30 only if approved by the qualified voters of Rowan County in a referendum. The election shall be
31 conducted by the Rowan County Board of Elections in the 2024 general election. The question
32 to be used in the voting systems and ballots shall be:

33 FOR AGAINST

34 Changing the method of election for the Rowan-Salisbury Board of Education from
35 nonpartisan to partisan."

36 **SECTION 5.(b)** If the majority of the qualified voters of Rowan County vote in
37 favor of the referendum held under this section, Section 2 of this act is repealed and the elections
38 in 2026 and thereafter shall be conducted accordingly.

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