

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 912
PROPOSED COMMITTEE SUBSTITUTE S912-PCS45473-CH-18

Short Title: Elections Changes for Watauga Ed & County Bds.

(Local)

Sponsors:

Referred to:

June 11, 2024

1 A BILL TO BE ENTITLED
2 AN ACT TO ALIGN THE DISTRICTS OF THE WATAUGA COUNTY BOARD OF
3 EDUCATION WITH THE DISTRICTS OF THE WATAUGA COUNTY BOARD OF
4 COMMISSIONERS, TO ESTABLISH FOUR-YEAR TERMS FOR ALL MEMBERS OF
5 THE WATAUGA COUNTY BOARD OF EDUCATION, AND TO PROVIDE THAT ANY
6 ALTERATION TO THE STRUCTURE OF THE WATAUGA COUNTY BOARD OF
7 COMMISSIONERS APPROVED IN A REFERENDUM SHALL TAKE EFFECT IN 2032.

8 The General Assembly of North Carolina enacts:

9 SECTION 1.(a) Section 1 of Chapter 1254 of the 1967 Session Laws, as amended
10 by Chapter 1260 of the 1969 Session Laws, reads as rewritten:

11 "Section 1. (a) The ~~present~~ members of the Watauga County Board of Education of
12 Watauga County shall be elected to serve staggered four-year terms and shall continue in office
13 and shall hold their offices until the first Monday in December, 1970. December in the year of
14 the election. The terms of the predecessors shall expire at that same time. Members shall serve
15 until a successor has been elected and qualified. The nonpartisan primary and election method
16 shall be used with the results determined as provided in G.S. 163-294. The primary shall be held
17 on the date provided by G.S. 163-1 for county partisan primaries. Except as otherwise provided
18 by this act, the election shall be conducted in accordance with the applicable provisions of
19 Chapters 115C and 163 of the General Statutes.

20 (b) The members of the Watauga County Board of Education shall be elected from five
21 single-member electoral districts. Notwithstanding G.S. 115C-37(i), the electoral districts for
22 members of the Watauga County Board of Education shall be the electoral districts as set out in
23 S.L. 2023-147. One member shall be elected from each district, and the qualified voters of each
24 district shall nominate candidates and elect members who reside in that district. Each candidate
25 shall reside in the district in which the candidate seeks election."

26 SECTION 1.(b) Section 5 of Chapter 1254 of the 1967 Session Laws, as amended
27 by Chapter 55 of the 1985 Session Laws, reads as rewritten:

28 "Section 5. (a) Except as provided in subsection (b) of this section, all vacancies occurring in
29 the membership of the Watauga County Board of Education by death, resignation or other causes
30 shall be filled by appointment of the remaining members of the Watauga County Board by
31 appointment of some qualified citizen of Watauga County to of Education. The appointee shall
32 serve for the remainder of the unexpired term. To be eligible to fill a vacancy, the appointee shall
33 reside in the same district as the member being replaced.

34 (b) All vacancies ~~in four-year terms~~ occurring in the membership of the Watauga County
35 Board of Education by death, resignation or other causes during the period ending at noon on the
36 fourteenth day before the close of time for filing notices of candidacy under ~~G.S. 163-106(e)~~



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1 ~~G.S. 163-106.2 for the next succeeding election for members of the Watauga County Board of~~
2 ~~Education, shall be filled by appointment of the remaining members of the Watauga County~~
3 ~~Board by appointment of some qualified citizen of Watauga County to of Education. The~~
4 ~~appointee shall serve until the next election of members of the Watauga County Board of~~
5 ~~Education, at which time the remaining unexpired term of the office shall be filled by election.~~
6 ~~To be eligible to fill a vacancy, the appointee shall reside in the same district as the member being~~
7 ~~replaced. The election to fill the vacancy shall be conducted in a group along with the elections~~
8 ~~for the full terms. The nominees receiving the two highest numbers of votes shall be elected for~~
9 ~~four year terms, and the nominees receiving the next two highest numbers of votes shall be~~
10 ~~elected for two year terms. A primary election shall be held if more than eight candidates file,~~
11 ~~and if a primary is held, the eight candidates receiving the highest number of votes shall be the~~
12 ~~nominees. If two or more vacancies are being filled under this subsection, then the rules for~~
13 ~~determining the results and holding of the primary and the general election shall be~~
14 ~~mathematically adjusted by the Watauga County Board of Elections according to the~~
15 ~~mathematical principles of this subsection."~~

16 **SECTION 1.(c)** Section 2 and Section 3 of Chapter 1254 of the 1967 Session Laws,
17 as amended by Chapter 1260 of the 1969 Session Laws, are repealed.

18 **SECTION 1.(d)** To implement staggering of terms for the members of the Watauga
19 County Board of Education, the members shall be elected and serve as follows:

- 20 (1) In 2026, and every four years thereafter, the members elected from Districts 1
21 and 4 shall each serve a four-year term.
- 22 (2) In 2028, and every four years thereafter, the members elected from Districts
23 2, 3, and 5 shall each serve a four-year term.

24 **SECTION 1.(e)** Notwithstanding Chapter 1254 of the 1967 Session Laws, as
25 amended by Chapter 1260 of the 1969 Session Laws, Chapter 55 of the 1985 Session Laws, and
26 this section, for the general election to be held in Watauga County in November of 2024, the
27 three candidates for the Watauga County Board of Education receiving the highest number of
28 votes shall each be elected to a term of four years.

29 **SECTION 1.(f)** Subsections (a) through (d) of this section become effective the first
30 Monday in December 2026, and elections in 2026 and thereafter shall be held accordingly. The
31 remainder of this section is effective when it becomes law and applies to elections held on or
32 after that date.

33 **SECTION 2.** If a majority of the voters of Watauga County vote for any referendum
34 conducted under Part 4 of Article 4 of Chapter 153A of the General Statutes, notwithstanding
35 G.S. 153A-62, the alteration approved in that referendum shall take effect the first Monday in
36 December following the 2032 general election, with all elections conducted accordingly.

37 **SECTION 3.** If any provision of this act or its application is held invalid, the
38 invalidity does not affect other provisions or applications of this act that can be given effect
39 without the invalid provisions or application, and, to this end, the provisions of this act are
40 severable.

41 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
42 law.