

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 88

AMENDMENT NO. A5
(to be filled in by
Principal Clerk)

S88-AST-184 [v.3]

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Amends Title [NO]
Second Edition

Date _____, 2024

Senator Mayfield

1 moves to amend the bill on page 4, lines 20-44, by rewriting those lines to read:

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4
5
6 **"EFFECTIVE DATE OF ALTERATIONS TO FORM OF GOVERNMENT**

7 **SECTION 5.(a)** G.S. 153A-61 reads as rewritten:

8 **"§ 153A-61. Submission of proposition to voters; form of ballot.**

9 (a) A proposition to approve an alteration initiated by the board of commissioners in
10 accordance with this Part shall be submitted to the voters of the county.

11 (b) Upon enactment of a local act altering any of the optional structures set forth in
12 G.S. 153A-58, the board of commissioners shall submit the change to the voters of the county at
13 the next election requiring all the precincts in the county to be open.

14 (c) Unless otherwise specified in the local act altering the optional structure, the question
15 shall be printed on the ballot in substantially the following form:

16 "Shall the structure of the board of commissioners be altered? (Describe the effect of the
17 alteration.)

18 YES

19 NO"

20 (d) The ballot shall be separate from other ballots used at the election. election shall be
21 conducted in accordance with Chapter 163 of the General Statutes.

22 (e) If a majority of the votes cast on the proposition are in the affirmative, the plan
23 contained in the resolution shall be put into effect as provided in this Part. If a majority of the
24 votes cast are in the negative, the resolution and the plan contained therein are void."

25 **SECTION 5.(b)** G.S. 153A-62 reads as rewritten:

26 **"§ 153A-62. Effective date of any alteration.**

27 (a) Any voter approved alteration proposed by the board of commissioners shall be the
28 basis for nominating and electing the members of the board of commissioners at the first
29 succeeding primary and general election for county offices held after voter approval of the
30 alteration; and the alteration takes effect on the first Monday in December following that general
31 election.



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1 (b) Any voter approved alteration initiated by local act shall remain in place until the
2 return of the next federal decennial census following the certification of the election in which the
3 alteration was approved by the voters."

4 **SECTION 5.(c)** G.S. 153A-3 is amended by adding a new subsection to read:

5 "(e) This section shall not apply to any local act altering any of the optional structures set
6 forth in G.S. 153A-58."

7 **SECTION 5.(d)** G.S. 160A-105 reads as rewritten:

8 "**§ 160A-105. Submission of propositions to voters; form of ballot.**

9 (a) A proposition to approve an ordinance or petition under this Part shall be submitted
10 to the voters of the city.

11 (b) Upon enactment of a local act altering any of the optional structures set forth in
12 subdivisions (4) through (8) of G.S. 160A-101, the council shall submit the change to the voters
13 of the city at the next election requiring all the precincts in the city to be open.

14 (c) Unless otherwise specified in the local act altering the optional structure, the question
15 shall be printed on the ballot in substantially the following form:

16 "Shall the form of government ordinance (describe the effect of the ordinancealteration) be
17 approved?

18 () YES

19 () NO"

20 (d) ~~The ballot shall be separate from all other ballots used at the election.~~ election shall
21 be conducted in accordance with Chapter 163 of the General Statutes.

22 (e) If a majority of the votes cast on a proposition shall be in the affirmative, the plan
23 contained therein shall be put into effect as provided in this Article. If a majority of the votes cast
24 shall be against the proposition, the ~~ordinance or petition~~ ordinance, petition, or local act
25 proposing setting forth the amendments shall be void and of no effect."

26 **SECTION 5.(e)** G.S. 160A-107 reads as rewritten:

27 "**§ 160A-107. Plan to continue for two years.**

28 (a) Charter amendments adopted as provided in this Article shall continue in force for at
29 least two years after the beginning of the term of office of the first officers elected thereunder.

30 (b) Any voter approved alteration initiated by local act shall remain in place until the
31 return of the next federal decennial census following the certification of the election in which the
32 alteration was approved by the voters."

33 **SECTION 5.(f)** G.S. 160A-109 reads as rewritten:

34 "**§ 160A-109. Effective date.**

35 ~~The~~ Except as provided in G.S. 160A-107(b), the council may submit new charter
36 amendments proposed under this Article at any regular or special municipal election, or at a
37 special election called for that sole purpose. Any amendment affecting the election of city officers
38 shall be finally adopted and approved at least 90 days before the first election for mayor or council
39 members held thereunder."

40 **SECTION 5.(g)** G.S. 160A-3 is amended by adding a new subsection to read:

41 "(d) This section shall not apply to any local act altering any of the optional structures set
42 forth in subdivisions (4) through (8) of G.S. 160A-101."

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1 **SECTION 5.(h)** This section is effective when it becomes law and applies to local
2 acts enacted on or after that date."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____