

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Feb 23, 2023
S.B. 155
PRINCIPAL CLERK

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SENATE BILL DRS45073-NG-47

Short Title: Mitchell County Bd. of Ed. Elect Partisan. (Local)

Sponsors: Senator Hise (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR PARTISAN ELECTIONS FOR MEMBERS OF THE
3 MITCHELL COUNTY BOARD OF EDUCATION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 55 of the 1987 Session Laws is repealed.

6 **SECTION 2.** Notwithstanding the provisions of G.S. 115C-37, beginning with
7 elections held in 2024, the Mitchell County Board of Education shall be elected on a partisan
8 basis and biennially thereafter as terms expire. Except as provided by this act, the election shall
9 be conducted in accordance with the applicable provisions of Chapters 115C and 163 of the
10 General Statutes. All persons desiring to be candidates for membership on the Mitchell County
11 Board of Education shall file notice of candidacy with the Mitchell County Board of Elections at
12 the same time as candidates for other county offices. Members shall take office on the first
13 Monday in December of the year of election, and the terms of their predecessors shall expire at
14 that same time. Members shall serve until a successor has been elected and qualified. This act
15 does not affect the terms of office of any member elected in 2020 or 2022 to the Mitchell County
16 Board of Education. The members of the Mitchell County Board of Education elected in 2020 or
17 2022, or any member appointed to fill a vacancy for the remainder of an unexpired term for a
18 member elected in 2020 or 2022, shall serve until a successor has been elected and qualified. A
19 vacancy on the Board of Education for positions elected in 2020 or 2022 shall be filled by a
20 person appointed by the remaining members of the Board. Beginning in 2024, vacancies on the
21 Board of Education elected on a partisan basis shall be filled by appointment by the remaining
22 members of the Board, in accordance with G.S. 115C-37.1, for the remainder of the unexpired
23 term.

24 **SECTION 3.(a)** 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, Mitchell, New Hanover, Onslow, Pender,
28 Rutherford, Stanly, Stokes, Surry, Vance, Washington, and Yancey."

29 **SECTION 3.(b)** This section becomes effective December 1, 2024.

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

