



HOUSE BILL 242: Wrightsville Beach Initiative Ordinances.

2023-2024 General Assembly

Committee:	House Local Government. If favorable, re- refer to Rules, Calendar, and Operations of the House	Date:	March 21, 2023
Introduced by:	Reps. Davis, Miller	Prepared by:	Billy Godwin
Analysis of:	PCS to First Edition H242-CSBD-7		Alex Ramirez Staff Attorneys

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 242 would amend the Charter of the Town of Wrightsville Beach to raise the threshold of qualified voters that must sign an initiative petition to propose a Town ordinance from 35% to 40% of the total number of registered voters residing within the Town at the time of the last regular Town election.*

CURRENT LAW: The Charter of the Town of Wrightsville Beach authorizes proposed Town ordinances to be submitted by petition of the voters of the Town. The proposed Town ordinance submitted must be one that the Board of Aldermen (Board) may lawfully adopt. This process is often referred to as an initiative petition.

The New Hanover County Board of Elections is responsible for certifying the sufficiency of the petition as to the number of qualified voters of the Town signing the petition. The Board must do one of the following within 20 days of receiving that certification if the number of voters signing the petition is equal to or greater than 35% of the total number of voters voting in the last regular municipal election for the Town of Wrightsville Beach:

- Pass the ordinance without alteration.
- Call a special election to submit the proposed ordinance to the voters, and such special election must be held within six months unless a general election is scheduled within those six months.

BILL ANALYSIS: The PCS would amend the Charter of the Town of Wrightsville Beach to change the threshold signatory requirement for initiative ordinance petitions from 35% to 40% of the total number of registered voters residing within the Town at the time of the last regular municipal election.

The PCS would also specify that the date of any special election to submit the proposed ordinance to the registered voters residing within the Town could be held on any of the following dates:

- At the same time as any other State or county general election.
- At the same time as the primary election in any even-numbered year.
- At the same time as any other election requiring all the precincts in the county to be open.
- At the same time as a municipal general election, if the special election is within the jurisdiction of the municipality only.

EFFECTIVE DATE: This act would be effective when it becomes law.

BACKGROUND: Other municipalities with initiative petition processes in their municipal charter include Asheville, Charlotte, Greensboro, Lewisville, Lumberton, Raleigh, River Bend and Wilmington.

Erika Churchill, staff attorney in the Legislative Analysis Division, substantially contributed to this summary.

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