

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 523

Short Title: CHANGE Winston-Salem/Forsyth Election Method. (Local)

Sponsors: Representatives Folwell, McGee, and L. Brown (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government.

March 31, 2011

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE ELECTION YEAR FOR THE CITY OF WINSTON-SALEM
AND THE ELECTION METHOD FOR THE WINSTON-SALEM/FORSYTH COUNTY
BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 163-279(b) reads as rewritten:

"(b) Notwithstanding the provisions of subsection ~~(a)~~, ~~(a)~~ of this section, ~~the next~~ regular municipal ~~primary and election~~ primaries and elections in Winston-Salem shall be held at the time of the primary and election for county officers in ~~1974, 2012 and quadrennially thereafter,~~ and officers elected at that time shall serve terms of office expiring on the first Monday in December, 1977, at the organizational meeting of the city council after the general election. ~~Beginning in 1977, municipal primaries and elections in Winston-Salem shall be held at the time provided in this section."~~

SECTION 1.(b) The terms of the mayor and council members of the City of Winston-Salem elected in 2009 expire at the organizational meeting after the 2012 regular municipal election held in accordance with Section 1(a) of this act.

SECTION 2.(a) Section 2(a)(5)(iii) of Chapter 112, Session Laws of 1961, as amended by Chapter 466, Session Laws of 1985, by Section 2 of Chapter 696 of the 1991 Session Laws, and by S.L. 2009-72 reads as rewritten:

"(iii) Notwithstanding the provisions of G.S. 115C-37, the Winston-Salem/Forsyth County Board of Education shall be elected on a ~~nonpartisan~~ partisan basis at the time of the general election in each even-numbered year as terms expire. ~~The names of the candidates shall be printed on the ballot without reference to any party affiliations. The nonpartisan primary and election method shall be used with the results determined as provided in G.S. 163-294, and the primary shall be held on the date provided by G.S. 163-1 for county partisan primaries.~~ Except as provided by this act, the election shall be conducted in accordance with the applicable provisions of Chapters 115C and 163 of the General Statutes. ~~Candidates shall file their notice of candidacy with the county board of elections under the same schedule provided by G.S. 163-106(e).~~ Candidates for election to the Winston-Salem/Forsyth County Board of Education shall be nominated at the same time and in the same manner as other county officers. Each candidate for the Winston-Salem/Forsyth County Board of Education shall, at the time of filing notice of candidacy, certify in writing the exact location of that candidate's residence and that the candidate is a bona fide resident thereof."



1 **SECTION 2.(b)** Section 2(a)(5)(ii) of Chapter 112, Session Laws of 1961, as
2 rewritten by Chapter 466, Session Laws of 1985 and Chapter 696 of the 1991 Session Laws,
3 and by S.L. 2009-72, reads as rewritten:

4 (ii) Effective on the first Monday in December 1986, the Winston-Salem/Forsyth
5 County Board of Education shall be composed of nine members. In the 2010 election, nine
6 persons shall be elected to the Winston-Salem/Forsyth County Board of Education for
7 four-year terms. The terms of those elected in 2010 for two-year terms shall instead expire on
8 the first Monday in December of 2014. In ~~2010~~:2014:

9 (1) Two persons shall be elected from District 1. ~~The person receiving the~~
10 ~~highest number of votes is elected to a four year term, and the person~~
11 ~~receiving the next highest number of votes is elected to a two year term.~~

12 (2) Four persons shall be elected from District 2. ~~The two persons receiving the~~
13 ~~two highest numbers of votes are elected to a four year term, and the two~~
14 ~~persons receiving the two next highest numbers of votes are elected to~~
15 ~~two year terms.~~

16 (3) Three members shall be elected at large from all of Forsyth County. ~~The~~
17 ~~person receiving the highest number of votes is elected to a four year term,~~
18 ~~and the two persons receiving the two next highest numbers of votes are~~
19 ~~elected to two year terms.~~

20 Successors to those elected in ~~2010~~2014 shall serve four-year terms.

21 For an at-large seat, any qualified voter of Forsyth County is eligible to vote. For the district
22 seats, only residents of the district shall be eligible to be candidates and only qualified voters of
23 the district shall be eligible to vote.

24 The districts as established for the purpose of this subparagraph are for the 2010 election
25 those established under G.S. 115C-37(i), which are subject to change for the election in
26 ~~2012~~2014 after the return of the 2010 census."

27 **SECTION 3.** This act becomes effective July 1, 2011.