

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 495

Short Title: District Court Dist. 25 Residency. (Public)

Sponsors: Senator Daniel.

Referred to: Judiciary II.

April 4, 2011

A BILL TO BE ENTITLED

AN ACT TO PROVIDE BALANCE IN THE RESIDENCY OF THE DISTRICT COURT
JUDGES IN DISTRICT COURT DISTRICT 25.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 7A-133 is amended by adding a new subsection to read:

"(b5) The qualified voters of District Court District 25 shall elect all nine judges established for the District in subsection (a) of this section, but only persons who reside in Catawba County may be candidates for six of the judgeships, only persons who reside in Burke County may be candidates for two of the judgeships, and only persons who reside in Caldwell County may be candidates for one of the judgeships."

SECTION 1.(b) The six district court judgeships established for residents of Catawba County by Section 1(a) of this act shall be filled by the district court judges serving District 25 who reside in Catawba County on July 1, 2011. One of those judge's successors shall be elected for a four-year term in the 2012 general election, and the other five judges' successors shall be elected for four-year terms in the 2014 general election.

SECTION 1.(c) The district court judgeships established for residents of Burke County by Section 1(a) of this act shall be filled by the two district court judges serving District 25 who reside in Burke County on July 1, 2011. One of those judges' successors shall be elected for a four-year term in the 2012 general election, and the other judge's successor shall be elected for a four-year term in the 2014 general election.

SECTION 1.(d) The district court judgeship established for residents of Caldwell County by Section 1(a) of this act shall be filled by the district court judge serving District 25 who resides in Caldwell County on July 1, 2011. That judge's successor shall be elected for a four-year term in the 2014 general election.

SECTION 2.(a) Effective January 1, 2015, G.S. 7A-133(b5), as enacted by Section 1(a) of this act, reads as rewritten:

"(b5) The qualified voters of District Court District 25 shall elect all nine judges established for the District in subsection (a) of this section, but only persons who reside in Catawba County may be candidates for ~~six~~ five of the judgeships, only persons who reside in Burke County may be candidates for two of the judgeships, and only persons who reside in Caldwell County may be candidates for ~~one~~ two of the judgeships."

SECTION 2.(b) Effective January 1, 2015, Section 1(b) of this act reads as rewritten:

"**SECTION 1.(b)** The ~~six~~ five district court judgeships established for residents of Catawba County by Section 1(a) of this act shall be filled by the district court judges serving District 25 who reside in Catawba County on July 1, 2011. One of those judge's successors



1 shall be elected for a four-year term in the 2012 general election, and the other ~~five~~ four judges'
2 successors shall be elected for four-year terms in the 2014 general election."

3 **SECTION 2.(c)** Effective January 1, 2015, Section 1(d) of this act reads as
4 rewritten:

5 **"SECTION 1.(d)** The district court ~~judgeship~~ judgeships established for residents of
6 Caldwell County by Section 1(a) of this act shall be filled by the district court judge serving
7 District 25 who resides in Caldwell County on ~~July 1, 2011.~~ July 1, 2011, and a judge elected in
8 the 2014 general election who resides in Caldwell County. ~~That judge's~~ The successor to the
9 judge who resides in Caldwell County on July 1, 2011, shall be elected for a four-year term in
10 the 2014 general ~~election.~~ election, and the successor to the judge elected in the 2014 general
11 election shall be elected for a four-year term in the 2018 general election."

12 **SECTION 3.** Section 2 of this act becomes effective January 1, 2014, but the
13 additional judge who must be a resident of Caldwell County shall be elected in the 2014
14 general election. The remainder of this act becomes effective July 1, 2011.