

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 447

Short Title: Lexington City Bd. of Ed./Change to Election. (Local)

Sponsors: Representatives Potts and Watford (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Elections and Ethics Law

March 23, 2017

A BILL TO BE ENTITLED

1 AN ACT TO CHANGE THE COMPOSITION OF THE LEXINGTON CITY BOARD OF
2 EDUCATION FROM A NINE-MEMBER APPOINTED BOARD OF EDUCATION TO
3 A SEVEN-MEMBER BOARD OF EDUCATION ELECTED ON A NONPARTISAN
4 BASIS IN ODD-NUMBERED YEARS.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Beginning in 2017, the Lexington City Board of Education shall be
8 composed of seven members elected on a nonpartisan plurality basis by the voters of the
9 Lexington City School Administrative Unit on the Tuesday after the first Monday in November
10 in odd-numbered years, with the results determined as provided by G.S. 163-292. One member
11 shall be elected from each of the six wards of the City of Lexington, and one member shall be
12 elected to represent the citizens of Davidson County who shall reside (i) within the
13 jurisdictional area of the Lexington City School Administrative Unit and (ii) outside of the
14 corporate limits of the City of Lexington. A member shall reside in the Ward or in the area that
15 the member represents for the length of his or her term. No member of the Board shall serve for
16 more than two consecutive full terms without an intervening period of four years. A vacancy
17 filled by appointment or election for an unexpired portion of a term shall not be considered a
18 full term.

19 Beginning in 2017 and quadrennially thereafter, the members elected from Wards 4,
20 5, and 6 and the member elected as the representative of Davidson County shall serve four-year
21 terms. Members elected in 2017 from Wards 1, 2, and 3 shall serve initial terms of two years.
22 Beginning in 2019 and quadrennially thereafter, members elected from Wards 1, 2, and 3 shall
23 serve four-year terms.

24 Except as otherwise provided by this act, elections shall be administered in
25 accordance with Articles 23 and 24 of Chapter 163 of the General Statutes.

26 **SECTION 2.** Beginning with members elected to the Lexington City Board of
27 Education in 2017, members shall take office and qualify on the first Monday in December of
28 the year of election and the terms of their predecessors shall expire at that same time. Members
29 shall serve until a successor has been elected and qualified.

30 **SECTION 3.** Beginning with members elected to the Lexington City Board of
31 Education in 2017, vacancies on the Lexington City Board of Education shall be filled in
32 accordance with G.S. 115C-37(f). To be eligible to fill a vacancy, the member shall reside in
33 the Ward or in the area that the vacancy represents.



1 **SECTION 4.** The terms of members appointed to the Lexington City Board of
2 Education who are serving their terms at the time of the 2017 election shall expire upon the
3 qualification of members elected to the Board in accordance with this act.

4 **SECTION 5.** Section 2 of Chapter 26 of the Private Laws of 1935, as amended by
5 Chapter 700 of the Session Laws of 1943, Chapter 56 of the Session Laws of 1949, Chapter
6 342 of the Session Laws of 1957, Chapter 892 of the Session Laws of 1973, and Chapter 192 of
7 the Session Laws of 1987, is repealed. All other laws and clauses of laws in conflict with the
8 provisions of this act are hereby repealed.

9 **SECTION 6.** This act is effective when it becomes law.