

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SESSION LAW 2017-63
HOUSE BILL 520

AN ACT TO CHANGE THE ELECTION METHOD OF THE UNION COUNTY BOARD
OF EDUCATION FROM NONPARTISAN TO PARTISAN.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding Section 5(a) of the Plan for Merging the Monroe City School System and the Union County School System adopted by the State Board of Education on January 8, 1992, and validated under Chapter 767 of the 1991 Session Laws (the Merger Plan), beginning in 2018, the Union County Board of Education shall consist of nine members who shall be elected on a partisan basis at the time of the general election in each even-numbered year as terms expire. Except as otherwise provided by this act, elections shall be conducted in accordance with Chapters 115C and 163 of the General Statutes. Candidates for election to the Union County Board of Education shall be nominated at the same time and manner as other county officers. As the terms of the present members expire, beginning with the primary and election to be held in 2018, and every two years thereafter, members of the Union County Board of Education shall be elected for terms of four years.

SECTION 2. Notwithstanding Section 5(f) and Section 5(h) of the Merger Plan, beginning in 2018, vacancies on the Union County Board of Education shall be filled as follows:

- (1) Vacancies for positions elected on a nonpartisan basis in 2014 or 2016 shall be filled in accordance with G.S. 115C-37(f).
- (2) Vacancies for positions elected on a partisan basis in 2018 and thereafter shall be filled by appointment for the remainder of the unexpired term by the remaining Board members. If the vacating member was elected as a nominee of a political party, the Board shall consult the county executive committee of the appropriate political party before filling the vacancy, and shall appoint the person recommended by the county executive committee of the political party of which the vacating member is registered, if that county executive committee makes a recommendation within 30 days of the occurrence of the vacancy. If only the qualified voters of an area less than the entire county were eligible to vote in the general election for the vacating member, the Board must accept the recommendation of the county executive committee only if the county executive committee restricted voting to committee members who represent precincts all or part of which were within the electoral district of the vacating member. To be eligible to fill a vacancy, a person shall be all of the following:
 - a. Registered with the same political party as the vacating member, if that vacating member was elected as the nominee of a political party.
 - b. A resident of the same district as the vacating member, if the vacating member was elected to represent an electoral district of less than the entire county.



SECTION 3. This act does not affect the terms of office of any person elected in 2014 or 2016 to the Union County Board of Education. The members of the Union County Board of Education elected in 2014 or 2016, or any member appointed by the remaining members of the Board to fill a vacancy of a member elected in 2014 or 2016, shall serve until a successor has been elected and qualified.

SECTION 4. Chapter 359 of the 1975 Session Laws and Chapter 136 of the 1989 Session Laws are repealed.

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 28th day of June, 2017.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives