

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SESSION LAW 2017-83
SENATE BILL 285

AN ACT DIRECTING THE CITY OF ASHEVILLE TO CREATE ELECTORAL DISTRICTS AND, IF ELECTORAL DISTRICTS ARE NOT TIMELY CREATED, PROVIDING FOR THE CREATION OF THOSE DISTRICTS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Creation of Electoral Districts. – By November 1, 2017, the City of Asheville shall amend its charter to create six single-member electoral districts governing the nomination and election of City Council members. Electoral districts established pursuant to this section shall be for use in the 2019 municipal elections. The City shall create districts that comply with State and federal law and (i) are reasonably compact and geographically diverse, (ii) are contiguous, and (iii) have a population deviation of no more than plus or minus five percent (5%). A candidate who seeks office shall represent the district in which the candidate resides. Only the qualified voters in the district shall nominate and elect candidates residing in the district. The mayor shall be nominated and elected from the City at large in accordance with G.S. 160A-101(8)a. Upon creating electoral districts, the City shall file a copy of its charter amendments in accordance with G.S. 160A-111 and submit a report of the completed plans to the Joint Legislative Elections Oversight Committee, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives by November 15, 2017.

SECTION 1.(b) In assigning territory to each single-member electoral district, the City Council shall adopt the final map reported to the City by the independent districting commission appointed by the City Council in accordance with Section 1(c) of this act. The map of the six single-member districts shall be submitted to the Legislative Library, Joint Legislative Elections Oversight Committee, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives on or before November 15, 2017.

SECTION 1.(c) Independent Districting Commission. – There is established an Independent Districting Commission for the City of Asheville, as follows:

- (1) Membership. – No later than August 22, 2017, the City Council shall appoint seven residents of the City, who are eligible voters in the City municipal elections. No more than three appointees shall be of the same political party. All appointees shall have expressed an interest in, or have demonstrated an expertise in, districting.
- (2) Officers; vacancies. – The City Council shall designate one member chair, and another vice-chair. Any vacancy shall be filled by the City Council, in accordance with subdivision (1) of this section.
- (3) Meetings; records. – The Commission shall meet upon the call of the chair, in accordance with Article 33C of Chapter 143. A quorum of the Committee shall be four members. The City Council may assign professional staff to assist the Commission in its work. All documents produced by the Commission shall be stored and maintained by the City, and the City shall be the custodian for purposes of Chapter 132 of the General Statutes.



- (4) Report; termination. – The Commission shall make any interim reports to the City Council as City Council requests, and shall make a final report of its map of six single-member electoral districts to the City Council no later than October 10, 2017. The Committee shall terminate upon the filing of its final report.

SECTION 1.(d) Electoral districts established pursuant to this section shall be used in the 2019 municipal elections.

SECTION 2.(a) In lieu of the process set forth in Sections 1(b) and 1(c) of this act, the City Council may assign territory to each single-member electoral district through a process established by the City Council, including establishing a working group, advisory board, or other appointed body to make recommendations to the City Council. However submitted to the City Council, the City of Asheville shall amend its charter to create six single-member electoral districts governing the nomination and election of City Council members on or before November 1, 2017.

SECTION 2.(b) Electoral districts established pursuant to this section shall be used in the 2019 municipal elections.

SECTION 3. All maps of the six single-member districts considered by the City Council, and the map adopted by the City Council, shall be submitted to the Legislative Library, Joint Legislative Elections Oversight Committee, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives on or before November 15, 2017.

SECTION 4. If the City of Asheville fails to create electoral districts as required by Section 1 or Section 2 of this act, the North Carolina General Assembly, in the 2018 Regular Session of the 2017 General Assembly, shall establish electoral districts for the City of Asheville.

SECTION 5. This act is effective when it becomes law and applies to elections held on or after that date.

In the General Assembly read three times and ratified this the 29th day of June, 2017.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives