

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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HOUSE BILL 179

Short Title: Pamlico Bd. of Ed. Elect. Partisan. (Local)

Sponsors: Representative Kidwell.

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

Referred to: Local Government, if favorable, Rules, Calendar, and Operations of the House

February 23, 2023

A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR THE PARTISAN ELECTION OF MEMBERS OF THE
PAMLICO COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. The remainder of Chapter 551 of the 1981 Session Laws, as amended by Chapter 939 of the 1987 Session Laws, is repealed.

SECTION 2. Section 11 of Chapter 939 of the 1987 Session Laws reads as rewritten:
"Sec. 11. Notwithstanding the provisions of G.S. 115C-37, the Pamlico County Board of Education shall be elected on a ~~nonpartisan basis at the time of the primary election in 1990~~ partisan basis in 2024 and biennially thereafter. ~~The names of the candidates shall be printed on the ballot without reference to any party affiliation. The nonpartisan plurality method shall be used with the results determined as provided in G.S. 163-292.~~ 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. All persons desiring to be candidates for membership on the Pamlico County Board of Education shall file notice of candidacy with the Board of Elections of Pamlico County at the same time as candidates for other county offices."

SECTION 3. Chapter 939 of the 1987 Session Laws is amended by adding a new section to read:

"Sec. 11a. Vacancies on the Pamlico County Board of Education for positions elected on a nonpartisan basis in 2020 and 2022 shall be filled by appointment by the remaining members of the Board until the next election of the members of the Board, at which time the remaining unexpired term of the office in which the vacancy occurs shall be filled by election. Beginning in 2024, vacancies on the Pamlico County Board of Education for positions elected on a partisan basis shall be filled by appointment by the remaining members of the Board, in accordance with G.S. 115C-37.1, until the next election of the members of the Board, at which time the remaining unexpired term of the office in which the vacancy occurs shall be filled by election."

SECTION 4. This act does not affect the terms of office of any member elected in 2020 or 2022 to the Pamlico County Board of Education. The members of the Pamlico County Board of Education elected in 2020 and 2022, or any member appointed to fill a vacancy for the remainder of an unexpired term for a member elected in 2020 or 2022, shall serve until a successor has been elected and qualified.

SECTION 5.(a) G.S. 115C-37.1(d) reads as rewritten:

"(d) This section shall apply only in the following counties: Alleghany, Beaufort, Brunswick, Burke, Caldwell, Carteret, Cherokee, Clay, Cleveland, Craven, Dare, Davie,



- 1 Graham, Guilford, Harnett, Hyde, Iredell, Lee, Lincoln, Madison, New Hanover, Onslow,
2 Pamlico, Pender, Rutherford, Stanly, Stokes, Surry, Vance, Washington, and Yancey."
3 **SECTION 5.(b)** This section becomes effective December 1, 2024.
4 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes law
5 and applies to elections held in 2024 and thereafter.