

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

SESSION LAW 2023-143
SENATE BILL 68

AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE TO USE PROCEEDS FROM ON-STREET PARKING METERS TO FUND CAPITAL PROJECTS AND PROVIDE THAT REVENUES REALIZED FROM OFF-STREET PARKING FACILITIES MUST BE USED TO PAY BONDS ISSUED TO FINANCE SUCH FACILITIES OR FOR OTHER CAPITAL PROJECTS; TO CHANGE THE METHOD OF ELECTION IN THE CITY OF HENDERSONVILLE, THE VILLAGE OF FLAT ROCK, AND THE TOWN OF FLETCHER; TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE CITY OF ARCHDALE; TO ADD CERTAIN DESCRIBED PROPERTIES TO THE CORPORATE LIMITS OF THE CITY OF ASHEBORO; TO CHANGE THE BOUNDARIES OF THE WHITEVILLE CITY SCHOOL ADMINISTRATIVE UNIT; TO PROHIBIT HOMEOWNERS' ASSOCIATION OR UNIT OWNERS' ASSOCIATION REGULATION OR PROHIBITION OF DISPLAYS OF FLAGS OF BRANCHES OF THE ARMED FORCES OR FLAGS OF FIRST RESPONDERS BY OR WITH THE PERMISSION OF OWNERS ON THEIR PROPERTY IN UNION COUNTY; TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS FOR THE TOWN OF HOOKERTON AND THE TOWN OF WALSTONBURG SHALL BE HELD IN EVEN-NUMBERED YEARS; TO ALLOW BURKE COUNTY TO USE LOCAL SALES AND USE TAX REVENUE DISTRIBUTED TO THE COUNTY IN A MANNER THAT IS CONSISTENT WITH GENERAL LAW; TO CHANGE THE JOHNSTON COUNTY BOARD OF EDUCATION ELECTIONS TO RESIDENCY DISTRICTS; TO EXTEND THE TERMS OF THE MEMBERS OF THE SOUTHEAST REGIONAL AIRPORT AUTHORITY FROM TWO TO FOUR YEARS AND AUTHORIZE THE SOUTHEAST REGIONAL AIRPORT AUTHORITY TO CONVEY REAL OR PERSONAL PROPERTY BELONGING TO THE AUTHORITY BY PRIVATE NEGOTIATION AND SALE OR LONG-TERM LEASE; TO AUTHORIZE TRANSYLVANIA COUNTY TO ESTABLISH A RURAL DEVELOPMENT AUTHORITY; AND TO CHANGE THE FILING PERIOD FOR MUNICIPAL OFFICES FOR THE TOWNS OF LAUREL PARK AND MILLS RIVER.

The General Assembly of North Carolina enacts:

CITY OF HENDERSONVILLE PARKING PROCEEDS

SECTION 1.(a) In addition to the uses authorized under G.S. 160A-301(a), a municipality may use the proceeds from parking meters on public streets to fund any capital projects.

SECTION 1.(b) Notwithstanding the provisions of G.S. 160A-301(b), a municipality shall use the revenues realized from off-street parking facilities to amortize bonds issued to finance such facilities or to fund any other capital projects.

SECTION 1.(c) This section applies to the City of Hendersonville only.

SECTION 1.(d) This section is effective when it becomes law, and the provisions applicable to the proceeds from off-street parking apply to proceeds collected on or after that date.



CITY OF HENDERSONVILLE METHOD OF ELECTION CHANGES

SECTION 2.(a) Section 4.2 of the Charter of the City of Hendersonville, being Chapter 874 of the 1971 Session Laws, as amended by City Ordinance No. 1995-06-08 adopted on June 8, 1995, S.L. 2016-15, and Section 1.3 of S.L. 2023-44, reads as rewritten:

"Sec. 4.2. ~~Regular Method of Municipal Primaries Elections.~~ The Mayor and Council Members shall be elected on a nonpartisan basis and results determined by the ~~primary-plurality~~ method as provided in ~~G.S. 163-294~~. G.S. 163-292. The filing period shall be the same as for county officers elected on a partisan basis."

SECTION 2.(b) This section is effective when it becomes law and applies to elections held on or after that date.

VILLAGE OF FLAT ROCK CHANGE METHOD OF ELECTION

SECTION 3.(a) Section 4.1 of the Charter of the Village of Flat Rock, being Chapter 48 of the 1995 Session Laws, as amended by Section 1.1 of S.L. 2023-44, reads as rewritten:

"Sec. 4.1. **Conduct of Village Elections.** Regular municipal elections shall be held at the time of the general election in each even-numbered year. Village officers shall be elected on a nonpartisan basis and results determined by the ~~primary-plurality~~ method as provided in ~~G.S. 163-294~~. G.S. 163-292. The filing period shall be the same as for county officers elected on a partisan basis. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes."

SECTION 3.(b) This section is effective when it becomes law and applies to elections held on or after that date.

TOWN OF FLETCHER CHANGE METHOD OF ELECTION

SECTION 4.(a) Section 4.1 of the Charter of the Town of Fletcher, being Chapter 44 of the 1989 Session Laws, as amended by Section 1.2 of S.L. 2023-44, reads as rewritten:

"Sec. 4.1. Conduct of Town elections. Regular municipal elections shall be held at the time of the general election in each even-numbered year. The Town Council and Mayor shall be elected on a nonpartisan basis and the results determined by the ~~primary-plurality~~ method as provided by ~~G.S. 163-294~~; ~~provided that if the City of Hendersonville is scheduled to hold a primary on the sixth Tuesday before the election under G.S. 163-279(a)(2), the nonpartisan primary in the Town of Fletcher shall be on that date.~~ G.S. 163-292. The filing period shall be the same as for county officers elected on a partisan basis. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina."

SECTION 4.(b) This section is effective when it becomes law and applies to elections held on or after that date.

REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE CITY OF ARCHDALE

SECTION 5. G.S. 160A-58.1 reads as rewritten:

"§ 160A-58.1. Petition for annexation; standards.

...

(b) A noncontiguous area proposed for annexation must meet all of the following standards:

...

- (5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

This subdivision does not apply to the Cities of Archdale, Asheboro, Belmont, Claremont, Concord, Conover, Durham, Elizabeth City, Gastonia, Greenville, Hickory, Kannapolis, Kings Mountain, Locust, Lowell, Marion, Mount Airy, Mount Holly, New Bern, Newton, Oxford, Randleman, Roanoke Rapids, Rockingham, Saluda, Sanford, Salisbury, Shelby, Southport, Statesville, and Washington and the Towns of Ahoskie, Angier, Apex, Ayden, Belville, Benson, Bladenboro, Bridgeton, Bunn, Burgaw, Calabash, Carthage, Catawba, China Grove, Clayton, Columbia, Columbus, Cramerton, Creswell, Dallas, Dobson, Four Oaks, Franklin, Franklinton, Franklinville, Fuquay-Varina, Garner, Godwin, Goldston, Granite Quarry, Green Level, Grimesland, Harrisburg, Holly Ridge, Holly Springs, Hookerton, Hope Mills, Huntersville, Jamestown, Kenansville, Kenly, Knightdale, Landis, Liberty, Lillington, Louisburg, Maggie Valley, Maiden, Mayodan, Maysville, Middlesex, Midland, Mocksville, Morrisville, Mount Pleasant, Nashville, North Wilkesboro, Norwood, Oak Island, Oakboro, Ocean Isle Beach, Pembroke, Pine Level, Pollocksville, Princeton, Ramseur, Ranlo, Richlands, Rockwell, Rolesville, Rutherfordton, Shallotte, Siler City, Smithfield, Spencer, Spring Lake, Stanley, Stem, Stovall, Surf City, Swansboro, Taylorsville, Troutman, Troy, Vass, Wallace, Warsaw, Watha, Waynesville, Weldon, Wendell, West Jefferson, Wilson's Mills, Windsor, Wingate, Yadkinville, Youngsville, and Zebulon.

...."

CITY OF ASHEBORO ANNEXATION

SECTION 6.(a) The following described properties, identified by Randolph County Parcel Identification Numbers, are added to the corporate limits of the City of Asheboro:

7677 15 6291; 7678 22 9463; 7678 32 7275; 7678 36 8428; 7678 40 9289; 7678 41 6419; 7678 50 8381; 7678 51 5400; 7678 62 7658; 7678 65 3318; 7678 87 1097; 7678 67 4202; 7678 69 2465; 7678 73 6792; 7678 98 3390; 7678 98 9678; 7688 09 5314; 7668 54 4623; 7668 55 8905; 7668 86 0860; 7677 28 7093; 7678 07 5774; 7678 21 2748; 7678 40 1818; 7678 40 2273; 7678 50 2254; 7679 20 7881; 7678 08 5025.

SECTION 6.(b) This section becomes effective June 30, 2024. Property in the territory described in this section as of January 1, 2024, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2024.

WHITEVILLE CITY SCHOOL ADMINISTRATIVE UNIT

SECTION 7.(a) Section 4 of Chapter 661 of the 1995 Session Laws is repealed.

SECTION 7.(b) The boundaries of the Whiteville City School Administrative Unit are as follows:

Beginning at the centerline intersection of New Britton Hwy East (Highway 130) and Pleasant Plains Ch Rd (SR 1166) thence westward with the centerline of Pleasant Plains Church Rd to the centerline intersection with Gores Trailer Rd (SR 1157) approximately 935 feet; thence southwesterly with the centerline of Gores Trailer Rd (SR 1157) to the southern property line of Deed Book 727, Page 970, approximately 2,710 feet; thence with said property line in a western direction approximately 630 feet near the end of a ditch; thence running various courses southwesterly with said ditches as of the year of 2020 approximately 2,557 feet to the center of Home Harrelson Rd (SR 1165); thence southeasterly approximately 55 degrees to the eastern line of Deed Book 1043, Page 491; thence with the eastern line of said tract southwardly approximately 358 feet to the eastern corner of Deed Book 562, Page 887; thence with the southern line of said tract westwardly approximately 675 feet to said tract's southwest corner; thence approximately south 55 degrees west 6,274 feet to the western right-of-way of Antioch

Church Rd (SR 1162) being the southeast corner of Deed Book 1254, Page 725; thence with the southern line of said tract westwardly to its southwest corner approximately 2,271.5 feet; thence approximately south 45 degrees west 2,148 feet to a point in the run of Beaverdam Swamp said point being inside that property described in Deed Book 1270, Page 522; thence running various courses northwesterly with the run of Beaverdam Swamp approximately 22,000 feet to the northwestern corner of Deed Book 1196, Page 201 Tract 1; thence leaving the run of Beaverdam Swamp in a northern direction to the centerline intersection of Shade Fisher Rd (SR 1336) and Sellers Town Rd (SR 1332) approximately 2,845 feet; thence northwesterly approximately 33 degrees to the southwest corner of Deed Book 382, Page 181 Parcel 2 Tract 2; thence with the western line of said tract northerly approximately 1,380 feet to the run of a small branch; thence southwesterly with the run of said branch approximately 317 feet to the southwest corner of Deed Book 299, Page 49 Tract 2; thence leaving said branch with the western line of said deed northwesterly (crossing Brice Ward Rd (SR 1337) at approximately 432 feet) running a total distance of approximately 1,700 feet to the northwest corner of Deed Book 299, Page 49 Tract 1 thence running the northern line of said deed southeasterly approximately 781 feet to the southeast corner of Deed Book 828, Page 644 Tract 1; thence northwardly with the eastern line of said tract and Deed Book 828, Page 644 Tract 2 to its northeast corner, approximately 1,300 feet, to the southeast corner of Deed Book 1148, Page 195 Tract 6 Parcel 1; thence westwardly approximately 1,331 feet to the southwest corner of Deed Book 1148, Page 195 Tract 6 Parcel 2; thence northwardly approximately 725 feet to the most eastern point of Deed Book 1023, Page 118; thence northwardly approximately 594 feet (crossing Rough and Ready Rd (SR 1004) at 304 feet) to the northern corner of Deed Book 1188, Page 980; thence northwardly approximately 604 feet to the run of Five Mile Branch; thence with the run of Five Mile Branch various courses northwardly approximately 8,922 feet to the centerline of Midway Dr (SR 1335); thence continuing northwardly with Five Mile Branch various courses to the centerline of Thompson Town Rd (SR 1428) at an approximately distance of 1,000 feet; thence continuing northwardly with Five Mile Branch various courses approximately 4,370 feet near the intersection of Cedar Branch; thence continuing with Five Mile Branch northwardly approximately 4,000 feet to the northwest corner of Deed Book 1165, Page 774 Parcel 2; thence eastwardly approximately 1,343 feet to the southern corner of Deed Book 301, Page 224; thence northeasterly with the western line of Deed Book 348, Page 735 approximately 1,000 feet to the southeast corner of Deed Book 1064, Page 90; thence northwardly with the eastern line of said deed approximately 614 feet; thence northwardly with Deed Book 989, Page 557 to the southern right-of-way line of Old Pine Log Rd (SR 1429); thence to the centerline intersection of Old Pine Log Rd (SR 1429) and Midway Rd (SR 1459); thence with the centerline of Midway Rd (SR 1459) northwardly to the centerline intersection of Georgia Pacific Rd (SR 1436) just north of the railroad tracks; thence leaving Georgia Pacific Rd (SR 1436) northwardly approximately 3,438 feet to the southeast corner of Deed Book 1075, Page 927; thence northwardly crossing Chadbourn Hwy (Hwy 74/76/130) to the southeast corner of Deed Book 1259, Page 812 Tract A; thence eastwardly with the southern line of Deed Book 1259, Page 812 Tract B approximately 340 feet to the southeast corner of said tract; thence with the eastern line of said tract northwardly approximately 654 feet to its northeast corner; thence northeasterly approximately 820 feet to the centerline intersection of Lynn Hill Rd (SR 1586) and Merritt Rd (SR 1558); thence northwardly approximately 5,700 feet to a point in Pine Log Swamp at the northeast corner of Deed Book 930, Page 309; thence westward with the run of Pine Log Swamp running various courses approximately 7,530 feet to the southwest corner of Deed Book 584, Page 796 Tract 2; thence with the western line of said deed northeasterly approximately 890 feet to the southern corner of Deed Book 1147, Page 772 Tract 2; thence with the western line of said tract approximately 3,995 feet to the western corner of said tract; thence northeasterly approximately 1,883 feet to the centerline intersection of Peacock Rd (SR 1005) and Smyrna Rd (SR 1552); thence northwesterly with the western line of Deed Book 1092, Page 693 Tract 1 approximately 360 feet to the western corner of Deed Book

1092, Page 693 Tract 4; thence northeasterly with the northern line of said tract approximately 1,672 feet to a point in Cypress Branch at the southwest corner of Deed Book 842, Page 775; thence northwestwardly with the run of Cypress Branch approximately 6,250 feet near the intersection of the run of Prong Swamp; thence northeasterly with the run of Western Prong Swamp approximately 12,450 feet to a point in the centerline of Bill Hooks Rd (SR 1546) near a bridge just north of Deed Book 934, Page 656 Tract 7; thence leaving Bill Hooks Rd (SR 1546) with the run of Western Prong Swamp approximately 1,130 feet to the run of Powell's Mill Branch at the southeast corner of Deed Book 1055, Page 163; thence northwardly with the run of Powell's Mill Branch running various courses approximately 3,050 feet to the centerline of Silver Spoon Rd (SR 1003) at a bridge thence continuing northwardly running various courses with Powell's Mill Branch approximately 4,560 feet to the southwest corner of Deed Book 430, Page 346; thence with the run of Baldwin Branch northwesterly approximately 2,750 feet to the centerline of Greens Mill Rd (SR 1530); thence leaving said road and continuing with Baldwin Branch northwesterly approximately 3,740 feet to the centerline of Mount Olive Rd (SR 1532); thence leaving said road continuing with Baldwin Branch westward approximately 3,758 feet to the southwest corner of Deed Book 920, Page 551; thence northwardly with the western line of said tract approximately 1,238 feet to the southwest corner of Deed Book 942, Page 242; thence with the western line of said tract approximately 630 feet to the southern corner of Deed Book 1243, Page 827; thence northwardly with the western line of said tract approximately 2,058 feet to the centerline of Arthur Collier Rd (SR 1519); thence westward with the centerline of said road approximately 190 feet to the southeast corner of Deed Book 682, page 415; thence northwest with the eastern line of said tract and beyond to the Columbus county line; thence eastwardly with said county line approximately 49,540 feet near the eastern line of Deed Book 958, Page 410 Tract 2; thence southwesterly leaving the county line to the eastern corner of Deed Book 1240, Page 10 Tract 1; thence southwesterly with the southern line of said tract approximately 3,180 feet to the centerline of Red Hill Rd (SR 1700) near a bridge; thence leaving said road in a southwestwardly direction running various courses with the run of the White Marsh Swamp to the northern corner of Deed Book 301, Page 747 at the old blazed line per Plat Book 21, Page 42; thence westward with said tract approximately 106 feet to the run of Cypress Branch; thence running westwardly with said branch various courses approximately 4,020 feet to the southeast corner of Deed Book 1188, Page 904 Tract 1; thence westward approximately 677 feet to the southwest corner of Deed Book 1188, Page 904 Tract 1; thence north approximately 36 feet to the southeast corner of Deed Book 1191, Page 847; thence westward with the southern line of said tract approximately 227 feet to its southwest corner; thence northwestwardly approximately 65 feet to the centerline intersection of New Britton Highway East (Hwy 130) and Pleasant Plains Ch Rd (SR 1166) being the point and place of beginning.

UNION COUNTY HOMEOWNERS' ASSOCIATIONS AND FLAGS

SECTION 8.(a) Article 3 of Chapter 47C of the General Statutes is amended by adding a new section to read as follows:

"§ 47C-3-121.1. Displays of Armed Forces and first responder flags.

(a) Notwithstanding any provision in any declaration of covenants, no restriction on the use of land shall be construed to regulate or prohibit the display of any flag of a branch of the Armed Forces of the United States of America or any first responder flag, having a size no greater than 4 feet by 6 feet, unless:

- (1) For restrictions registered prior to December 1, 2023, the restriction uses the following terms to specify each branch of the Armed Forces and each of the first responders whose flag display is regulated or prohibited:**
 - a. The United States Air Force.**
 - b. The United States Army.**
 - c. The United States Coast Guard.**

- d. The United States Marines.
 - e. The United States Navy.
 - f. The United States Space Force.
 - g. Police officers.
 - h. Corrections officers.
 - i. Firefighters.
 - j. 911 dispatchers.
 - k. EMS personnel.
- (2) For restrictions registered on or after December 1, 2023, the restriction shall be written on the first page of the instrument or conveyance in print that is in boldface type, capital letters, and no smaller than the largest print used elsewhere in the instrument or conveyance. The restriction shall be construed to regulate or prohibit the display of the flag of a branch of the Armed Forces of the United States or of a first responder only if the restriction uses the following language: "**THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF THE FLAG OF [INSERT HERE THE NAME OF EACH BRANCH OF THE ARMED FORCES AND EACH OF THE FIRST RESPONDERS WHOSE FLAG IS SUBJECT TO THE RESTRICTION]**".
- (b) As used in this section, "first responder flag" means any of the following flags:
- (1) Police officers first responder flag. – A flag with a horizontal blue stripe centered vertically on a black background or a United States flag with a blue stripe replacing the first white stripe below the stars.
 - (2) Corrections officers first responder flag. – A United States flag with a gray stripe replacing the first white stripe below the stars.
 - (3) Firefighters first responder flag. – A United States flag with a red stripe replacing the first white stripe below the stars.
 - (4) 911 dispatchers first responder flag. – A United States flag with a yellow stripe replacing the first white stripe below the stars.
 - (5) EMS personnel first responder flag. – A United States flag with one of the following replacing the first white stripe below the stars:
 - a. A white stripe obviously whiter than the other white stripes.
 - b. A white stripe bordered by blue at the top and bottom.
- (c) This section shall apply to the display of flags by unit owners on property owned exclusively by them or limited common elements allocated to their exclusive use and does not apply to the display of flags on common areas, easements, rights-of-way, or other areas owned by others."

SECTION 8.(b) Article 3 of Chapter 47F of the General Statutes is amended by adding a new section to read as follows:

"§ 47F-3-121.1. Displays of Armed Forces and first responder flags.

(a) Notwithstanding any provision in any declaration of covenants, no restriction on the use of land shall be construed to regulate or prohibit the display of any flag of a branch of the Armed Forces of the United States of America or any first responder flag, having a size no greater than 4 feet by 6 feet, unless:

- (1) For restrictions registered prior to December 1, 2023, the restriction uses the following terms to specify each branch of the Armed Forces and each of the first responders whose flag display is regulated or prohibited:
 - a. The United States Air Force.
 - b. The United States Army.
 - c. The United States Coast Guard.
 - d. The United States Marines.
 - e. The United States Navy.

- f. The United States Space Force.
- g. Police officers.
- h. Corrections officers.
- i. Firefighters.
- j. 911 dispatchers.
- k. EMS personnel.

(2) For restrictions registered on or after December 1, 2023, the restriction shall be written on the first page of the instrument or conveyance in print that is in boldface type, capital letters, and no smaller than the largest print used elsewhere in the instrument or conveyance. The restriction shall be construed to regulate or prohibit the display of the flag of a branch of the Armed Forces of the United States or of a first responder only if the restriction specifically states: "**THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF THE FLAG OF THE [INSERT HERE THE NAME OF EACH BRANCH OF THE ARMED FORCES AND EACH OF THE FIRST RESPONDERS WHOSE FLAG IS SUBJECT TO THE RESTRICTION]**".

(b) As used in this section, "first responder flag" means any of the following flags:

- (1) Police officers first responder flag. – A flag with a horizontal blue stripe centered vertically on a black background, or a United States flag with a blue stripe replacing the first white stripe below the stars.
- (2) Corrections officers first responder flag. – A United States flag with a gray stripe replacing the first white stripe below the stars.
- (3) Firefighters first responder flag. – A United States flag with a red stripe replacing the first white stripe below the stars.
- (4) 911 dispatchers first responder flag. – A United States flag with a yellow stripe replacing the first white stripe below the stars.
- (5) EMS personnel first responder flag. – A United States flag with one of the following replacing the first white stripe below the stars:
 - a. A white stripe obviously whiter than the other white stripes.
 - b. A white stripe bordered by blue at the top and bottom.

(c) This section shall apply to the display of flags by or with permission of lot owners on property owned exclusively by them or limited common elements allocated to their exclusive use, and does not apply to the display of flags on common areas, easements, rights-of-way, or other areas owned by others."

SECTION 8.(c) This section applies only to planned communities and condominiums located in Union County.

SECTION 8.(d) This section becomes effective December 1, 2023, and applies to the display of flags occurring on or after that date.

TOWN OF HOOKERTON METHOD OF ELECTION CHANGES

SECTION 9.(a) Section 3.6 of the Charter of the Town of Hookerton, being Chapter 253 of the 1985 Session Laws, reads as rewritten:

"Sec. 3.6. Elections. ~~Elections~~ Regular municipal elections in the Town of Hookerton shall be held at the time of the general election in each even-numbered year. Elections shall be conducted ~~in accordance with Subchapter IX of Chapter 163 of the General Statutes, on a nonpartisan basis~~ and the results determined by the nonpartisan plurality method in accordance with G.S. 163-292. Except as otherwise provided by this charter, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes.

A Mayor shall be elected ~~in 1985 and biennially thereafter~~ for a two-year term. ~~Two~~ Four Commissioners shall be elected ~~in 1985 and quadrennially thereafter for four-year terms, and two~~

~~Commissioners shall be elected in 1987 and quadrennially thereafter for staggered four-year terms."~~

SECTION 9.(b) No municipal elections shall be conducted in the Town of Hookerton in 2025. The terms of office for each commissioner and mayor serving on January 1, 2025, shall be extended by one year. Regular municipal elections shall be conducted in the Town of Hookerton in even-numbered years beginning in 2026 as terms expire.

SECTION 9.(c) In 2026 and biennially thereafter, a mayor shall be elected to serve a two-year term. In 2026 and quadrennially thereafter, two commissioners shall be elected to serve four-year terms. In 2028 and quadrennially thereafter, two commissioners shall be elected to serve four-year terms.

SECTION 9.(d) This section becomes effective January 1, 2025, and applies to elections held on or after that date.

TOWN OF WALSTONBURG METHOD OF ELECTION CHANGES

SECTION 10.(a) Section 5 of the Charter of the Town of Walstonburg, being Chapter 45 of the Private Laws of 1913, reads as rewritten:

~~"Sec. 5. That an election shall be held in said town on Tuesday next after the first Monday of May, in the year of our Lord one thousand nine hundred and thirteen, and biennially thereafter, for the election of a mayor and commissioners of said town, under the rules and regulations prescribed for said town elections in chapter seventy-three of the Revisal of one thousand nine hundred and five. The Town of Walstonburg shall elect a mayor and five commissioners who shall each serve a two-year term. Regular municipal elections shall be held at the time of the general election in each even-numbered year. Elections shall be on a nonpartisan plurality basis and the results determined by the plurality method as provided in G.S. 163-292. Except as otherwise provided by this charter, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes."~~

SECTION 10.(b) No municipal elections shall be conducted in the Town of Walstonburg in 2025. The terms of office for the five commissioners and mayor elected in 2023 whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Walstonburg in even-numbered years beginning in 2026.

SECTION 10.(c) In 2026 and biennially thereafter, a mayor and five commissioners shall be elected to serve two-year terms.

SECTION 10.(d) This section becomes effective January 1, 2025, and applies to elections held on or after that date.

BURKE COUNTY LOCAL SALES TAX MODIFICATIONS

SECTION 11.(a) Chapter 273 of the 1983 Session Laws, as amended by Section 127 of Chapter 1034 of the 1983 Session Laws, and by Section 78 of S.L. 2006-264, is repealed.

SECTION 11.(b) Chapters 198 and 326 of the 1985 Session Laws are repealed.

SECTION 11.(c) This section is effective when it becomes law and applies to tax proceeds distributed on or after that date.

JOHNSTON COUNTY BOARD OF EDUCATION ELECTION CHANGES

SECTION 12.1.(a) Section 2 of S.L. 1997-32 reads as rewritten:

~~"Section 2. The Johnston County Board of Education shall continue to consist of seven members elected at large for four-year staggered terms. Three members shall be elected in 1998 and every four years thereafter; and four members shall be elected in 2000 and every four years thereafter. The members of the Johnston County Board of Education shall be elected from seven single-member residency districts. One member shall be elected from each residency district. No person shall be eligible to file for, be elected to, or serve on the Johnston County Board of Education unless the person is a qualified voter and resident of the district in which the person~~

seeks to be elected. All candidates shall be voted on by all eligible voters in the county. Members shall take office and qualify on the first Monday in December of the year of election, and the terms of their predecessors shall expire at that same time. Members shall serve until a successor has been elected and qualified."

SECTION 12.1.(b) Section 4 of S.L. 1997-32 reads as rewritten:

"Section 4. If a vacancy occurs on the Johnston County Board of Education, the remaining members of the ~~board~~ Johnston County Board of Education shall appoint a person to fill that seat. The person appointed to fill the vacancy shall serve the remainder of the unexpired term of the office. Any person appointed to fill a vacancy shall be a resident of the single-member residency district in which the vacancy occurs."

SECTION 12.1.(c) This section is effective when it becomes law and applies to elections held on or after that date.

SECTION 12.2.(a) The residency districts of the Johnston County Board of Education required by this act shall be established by resolution and each shall contain a population that is within five percent (5%) of the ideal population, which is one-seventh of the total population of the county according to the most recent federal decennial census. In establishing the boundaries of the seven residency districts required by this act, the Johnston County Board of Education shall consider incumbency and attempt to balance population without placing two incumbents in the same residency district. When adopting the resolution establishing the boundaries of the seven residency districts, the resolution shall include when the next election shall occur in each of the seven residency districts. The Johnston County Board of Education shall not reduce the term of office of any elected member of the Johnston County Board of Education when establishing the boundaries of the seven residency districts.

SECTION 12.2.(b) Residency districts established in accordance with this act shall be revised so as to correct population imbalances among the districts following the return of each federal decennial census. After revising residency district boundaries under this subsection, the Johnston County Board of Education shall not revise the residency districts again until the return of the next federal decennial census.

SECTION 12.2.(c) No later than November 17, 2023, the Johnston County Board of Education shall establish the boundaries of the seven single-member residency districts required by this act to be used in the 2024 elections and thereafter until revised again in accordance with this section. If the Johnston County Board of Education fails to establish the boundaries of the seven single-member residency districts by November 17, 2023, the seven single-member residency districts used for the Johnston County Board of Commissioners elections shall be deemed the seven single-member residency districts required by this act and the seven single-member residency districts used for the Johnston County Board of Commissioners elections shall be used until following the return of the 2030 federal decennial census.

SECTION 12.2.(d) This section is effective when it becomes law.

SOUTHEAST REGIONAL AIRPORT AUTHORITY

SECTION 13.1.(a) Section 2(b) of S.L. 2020-19 reads as rewritten:

~~"SECTION 2.(b) Except as provided in subsection (c) of this section, members~~ **Members** shall serve for ~~a term of two terms of four years~~, beginning on January 1, and the terms shall be staggered. Members may serve no more than two successive terms. ~~An initial term described in subsection (c) of this section shall be counted when determining the number of successive terms served.~~ A member who has served two successive terms may not be reappointed to the Authority except after a lapse of two years following the most recent term served. In the event a member is appointed to fill an unexpired term, and at least ~~one year~~ two years of the unexpired term remains to be served, the appointment shall be counted in determining the number of successive terms served. Upon the expiration of a member's term, the member may continue to serve until a

successor has been appointed, but in no case shall the member serve for more than 60 days beyond the end of the member's term. Any vacancy occurring among the membership of the Authority shall be filled within 60 days after notice thereof by the appointment of a successor by the mayor or chair who made the original appointment. The successor member shall serve for the remainder of the unexpired term. Each member shall take and subscribe before the clerk of the town or county an oath of office, and the oath shall be filed in the office of the clerk. The provisions of this subsection shall not apply to the Scotland County Economic Development Director who shall not be limited to the number of terms he or she may serve."

SECTION 13.1.(b) Section 2(c) of S.L. 2020-19 is repealed.

SECTION 13.1.(c) The terms of the current members of the Southeast Regional Airport Authority shall expire on December 31, 2023. Notwithstanding the provisions of Section 2(b) of S.L. 2020-19, as amended by subsection (a) of this section, the current members of the Southeast Regional Airport Authority may be reappointed to the Southeast Regional Airport Authority as provided in subsection (d) and subsection (e) of this section.

SECTION 13.1.(d) For the appointments beginning January 1, 2024, the members of the Southeast Regional Airport Authority shall be as follows:

- (1) Three registered voters of the City of Laurinburg appointed by the Mayor of the City of Laurinburg, one of whom shall serve for a term of one year, one of whom shall serve for a term of two years, and one of whom shall serve for a term of three years.
- (2) Three registered voters of the Town of Maxton appointed by the Mayor of the Town of Maxton, one of whom shall serve for a term of one year, one of whom shall serve for a term of two years, and one of whom shall serve for a term of three years.
- (3) One registered voter of Scotland County appointed by the Chair of the Scotland County Board of Commissioners, who shall serve for a term of four years.
- (4) The Scotland County Economic Development Director, who shall serve as an ex officio nonvoting member.

SECTION 13.1.(e) Upon the expiration of the terms provided for in subsection (d) of this section, each member may be appointed to two successive four-year terms. The terms provided for in subsection (d) of this section shall not be counted when determining the number of successive terms served. Thereafter, members shall be appointed to the Southeast Regional Airport Authority as provided in Section 2(b) of S.L. 2020-19, as amended by subsection (a) of this section.

SECTION 13.2. Section 4 of S.L. 2020-19 reads as rewritten:

"SECTION 4. Powers; Duties. – The Authority shall have the following powers and duties:

- ...
- (3) To sell, lease, or otherwise dispose of any property, real or personal, belonging to the Authority, according to the procedures provided in Article 12 of Chapter 160A of the General Statutes, Notwithstanding the provisions of Article 12 of Chapter 160A of the General Statutes, to convey by private negotiation and sale, or to lease for a term of more than 10 years without it being treated as a sale, under the terms and conditions it deems proper, any or all of its right, title, and interest in Authority real or personal property, but no sale of real property shall be made without the approval of the City of Laurinburg City Council, Town of Maxton Town Council, and Scotland County Board of Commissioners.

...."

TRANSYLVANIA COUNTY/RURAL DEVELOPMENT AUTHORITY

SECTION 14. Section 23 of Chapter 988 of the 1965 Session Laws, as amended by Chapter 931 of the 1969 Session Laws, reads as rewritten:

"**Sec. 23.** This Act shall only apply to the counties of Cherokee, Clay, Graham, ~~Swain, Macon and Jackson, Macon, Swain, Transylvania, and Yancey~~ which counties are located in the southwestern section of North Carolina. Yancey."

TOWN OF LAUREL PARK METHOD OF ELECTION CHANGES

SECTION 15.(a) Section 3.1 of the Charter of the Town of Laurel Park, being S.L. 2000-8, as amended by S.L. 2023-44, reads as rewritten:

"Section 3.1. **Regular Municipal Elections.** Regular municipal elections shall be held at the time of the general election in each even-numbered year. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina. Elections shall be conducted on a nonpartisan basis and the results determined using the nonpartisan plurality method as provided in G.S. 163-292. The filing period shall be the same as for county officers elected on a partisan basis."

SECTION 15.(b) This section is effective when it becomes law and applies to elections held on or after that date.

TOWN OF MILLS RIVER METHOD OF ELECTION CHANGES

SECTION 16.(a) Section 4.1 of the Charter of the Town of Mills River, being S.L. 2003-242, as amended by S.L. 2023-44, reads as rewritten:

"Section 4.1. **Conduct of Town Elections.** Town elections shall be conducted on a nonpartisan basis and the results determined by plurality, as provided in G.S. 163-292. The filing period shall be the same as for county officers elected on a partisan basis. Elections shall be conducted by the Henderson County Board of Elections."

SECTION 16.(b) This section is effective when it becomes law and applies to elections held on or after that date.

SECTION 17. If any provision of this act or its application to any person, group of persons, or circumstances is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application and, to this end, the provisions of this act are severable.

SECTION 18. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 25th day of October, 2023.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives