

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 394

Short Title: Delay CMS Board Elections/Census Delay. (Local)

Sponsors: Representatives Belk, Bradford, Carney, and Majeed (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

March 25, 2021

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE DELAY OF THE 2021 ELECTIONS FOR THE
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION IF CENSUS DATA IS NOT
AVAILABLE TO THE BOARD OF EDUCATION BY A DATE CERTAIN.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding S.L. 1993-167, elections to the Charlotte-Mecklenburg Board of Education shall not be held in 2021. Members elected to the Charlotte-Mecklenburg Board of Education in 2017, or persons filling vacancies for those terms, whose terms were set to expire on December 6, 2021, shall hold over in office until their successors are elected and qualified. Election for those terms of office shall be held at the time of the general election for county offices in 2022, with the results determined as provided by G.S. 163-292. Candidates shall file their notices of candidacy for the election in 2022 with the Mecklenburg Board of Elections no earlier than 12:00 noon on July 25, 2022, and no later than 12:00 noon on August 12, 2022. Terms of office of members of the Charlotte-Mecklenburg Board of Education elected in 2022 shall commence on December 6, 2022, and shall expire on December 2, 2025.

SECTION 2. Section 1 of this act shall become effective only if the federal decennial census information for the 2020 census has not been received by the Charlotte-Mecklenburg Board of Education by July 19, 2021. If the Charlotte-Mecklenburg Board of Education has not received notice of the federal decennial census information by July 19, 2021, the Board shall adopt a resolution to that effect which states that census information was not received and that, pursuant to this act, the next election for the Charlotte-Mecklenburg Board of Education will occur at the time of the 2022 general election. The Board of Education shall adopt the resolution prior to July 26, 2021, and shall publish notice of the delay in the election both on the website of the Charlotte-Mecklenburg Board of Education and at least once in a newspaper of general circulation within seven days of adoption of that resolution. The resolution shall also be submitted to the Mecklenburg Board of Elections and to the State Board of Elections prior to July 26, 2021.

SECTION 3. This act is effective when it becomes law.

