

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 771
Committee Substitute Favorable 4/19/05

Short Title: UNC/Dual Office Holding.-AB

(Public)

Sponsors:

Referred to:

March 17, 2005

A BILL TO BE ENTITLED

1 AN ACT TO ELIMINATE THE PROHIBITION AGAINST CERTAIN SPOUSES OF
2 MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF
3 NORTH CAROLINA, MEMBERS OF THE BOARD OF TRUSTEES OF A
4 CONSTITUENT INSTITUTION, OR MEMBERS OF THE STATE BOARD OF
5 COMMUNITY COLLEGES FROM BEING EMPLOYEES OR OFFICERS OF
6 THE STATE.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 116-7(b) reads as rewritten:

10 "(b) ~~From and after July 1, 1973, no~~No member of the General Assembly or
11 officer or employee of the ~~State or of~~State, The University of North Carolina, or any
12 constituent institution ~~or spouse of any such member, officer or employee~~ may be a
13 member of the Board of Governors. No spouse of a member of the General Assembly,
14 or of an officer or employee of The University of North Carolina, or any constituent
15 institution may be a member of the Board of Governors. Any member of the Board of
16 Governors who is elected or appointed to the General Assembly or who becomes an
17 officer or employee of the State or of any constituent institution or whose spouse is
18 elected or appointed to the General Assembly or becomes ~~such an~~an officer or employee
19 of The University of North Carolina, or any constituent institution shall be deemed
20 thereupon to resign from his membership on the Board of Governors."

21 **SECTION 2.** G.S. 116-31(h) reads as rewritten:

22 "(h) ~~From and after July 1, 1973, no~~No member of the General Assembly or
23 officer or employee of the ~~State or of~~State, The University of North Carolina, or any
24 constituent institution ~~or spouse of any such member, officer or employee~~ shall be
25 eligible for election or appointment as a trustee. No spouse of a member of the General
26 Assembly, or of an officer or employee of a constituent institution may be a trustee of
27 that constituent institution. Any trustee who is elected or appointed to the General
28 Assembly or who becomes an officer or employee of the ~~State or of~~State, The
29 University of North Carolina, or any constituent institution or whose spouse is elected

1 or appointed to the General Assembly or becomes ~~such an~~ officer or employee of that
2 constituent institution shall be deemed thereupon to resign from his membership on the
3 board of trustees."

4 **SECTION 3.** G.S. 115D-2.1(d) reads as rewritten:

5 "(d) No member of the General Assembly, no officer or employee of the State,
6 and no officer or employee of an institution under the jurisdiction of the State Board ~~and~~
7 ~~no spouse of any of those persons~~, shall be eligible to serve on the State Board. No
8 spouse of a member of the General Assembly or of an officer or employee of the
9 Community College System or of an institution under the jurisdiction of the State Board
10 shall be eligible to serve on the State Board. ~~Furthermore, no~~ No person who within the
11 prior five years has been an employee of the Community Colleges System Office shall
12 be eligible to serve on the State Board."

13 **SECTION 4.** This act becomes effective June 30, 2005.