

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL DRH30101-MS-51 (02/09)

Short Title: GA Appoint for District Court Vacancies. (Public)

Sponsors: Representatives Burr, K. Hall, Saine, and Bumgardner (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT DISTRICT COURT VACANCIES SHALL BE FILLED BY APPOINTMENT OF THE GENERAL ASSEMBLY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-142 reads as rewritten:

"§ 7A-142. Vacancies in office.

~~A Pursuant to the authority granted in Section 10 of Article IV of the North Carolina Constitution, a vacancy in the office of district judge shall be filled for the unexpired term by appointment of the Governor. The bar of the judicial district, as defined in G.S. 84-19, shall nominate five persons who are residents of the judicial district who are duly authorized to practice law in the district for consideration by the Governor. The nominees shall be selected by vote of only those bar members who reside in the district. In the event fewer than five persons are nominated, upon providing the nominations to the Governor, the bar shall certify that there were insufficient nominations in the district to comply with this section. Prior to filling the vacancy, the Governor shall give due consideration to the nominations provided by the bar of the judicial district.~~ General Assembly. When the General Assembly is in session, appointments shall be made by enactment of a bill. The bill shall state the name of the person appointed, the office to which the appointment is being made, and the county of residence of the appointee. If a vacancy in the office of district judge occurs while the General Assembly is not in session, the Speaker of the House and the President Pro Tempore may leave the vacancy in place until the reconvening of the General Assembly or jointly submit the name of a nominee, who is duly authorized to practice law in the district where the vacancy occurs, to the Governor. The Governor shall then confirm the nominee no later than 10 days after the nomination has been submitted."

SECTION 2. This act is effective when it becomes law.



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