

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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4

HOUSE BILL 447

Committee Substitute Favorable 4/4/17

Senate Select Committee on Elections Committee Substitute Adopted 6/21/17

Fourth Edition Engrossed 6/26/17

Short Title: Lexington City Bd. of Ed./City Council.

(Local)

Sponsors:

Referred to:

March 23, 2017

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE COMPOSITION OF THE LEXINGTON CITY BOARD OF EDUCATION FROM A NINE-MEMBER APPOINTED BOARD OF EDUCATION TO A SEVEN-MEMBER BOARD OF EDUCATION ELECTED ON A NONPARTISAN BASIS IN ODD-NUMBERED YEARS AND TO PROVIDE FOR DISTRICTS FOR THE LEXINGTON CITY COUNCIL.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Beginning in 2017, the Lexington City Board of Education shall be composed of seven members elected on a nonpartisan plurality basis in accordance with this section on the Tuesday after the first Monday in November in odd-numbered years, with the results determined as provided by G.S. 163-292. Except as otherwise provided by this section, elections shall be administered in accordance with Articles 23 and 24 of Chapter 163 of the General Statutes.

SECTION 1.(b) A member shall reside in the ward or in the area that the member represents for the length of his or her term. Members shall be elected as follows:

- (1) One member shall be elected by and from the qualified voters each of the six wards of the City of Lexington, which member and qualified voters shall reside inside the ward, the Lexington School Administrative Unit, and the corporate limits of the City of Lexington.
(2) One member shall be elected by and from all qualified voters in the Lexington City School Administrative Unit, which member shall reside outside of the corporate limits of the City of Lexington and within the jurisdictional area of the Lexington City School Administrative Unit.

SECTION 1.(c) Beginning in 2017 and quadrennially thereafter, the members elected from Wards 4, 5, and 6 and the member elected as the representative of Davidson County shall serve four-year terms. Members elected in 2017 from Wards 1, 2, and 3 shall serve initial terms of two years. Beginning in 2019 and quadrennially thereafter, members elected from Wards 1, 2, and 3 shall serve four-year terms.

SECTION 1.(d) Beginning with members elected to the Lexington City Board of Education in 2017, 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 1.(e) Beginning with members elected to the Lexington City Board of Education in 2017, vacancies on the Lexington City Board of Education shall be filled in



1 accordance with G.S. 115C-37(f). To be eligible to fill a vacancy, the member shall reside in
2 the ward or in the area that the vacancy represents.

3 **SECTION 1.(f)** The terms of members appointed to the Lexington City Board of
4 Education who are serving their terms at the time of the 2017 election shall expire upon the
5 qualification of members elected to the Board in accordance with this section.

6 **SECTION 1.(g)** Section 2 of Chapter 26 of the Private Laws of 1935, as amended
7 by Chapter 700 of the Session Laws of 1943, Chapter 56 of the Session Laws of 1949, Chapter
8 342 of the Session Laws of 1957, Chapter 892 of the Session Laws of 1973, and Chapter 192 of
9 the Session Laws of 1987, is repealed. All other laws and clauses of laws in conflict with the
10 provisions of this act are hereby repealed.

11 **SECTION 2.** Section 1.4 of the Charter of the City of Lexington, being Chapter
12 906 of the Session Laws of 1981, as amended by Chapter 806 of the 1985 Session Laws,
13 Chapter 64 of the Session Laws of 1987, and Chapter 542 of the 1989 Session Laws, and S.L.
14 1995-442, reads as rewritten:

15 "Sec. 1.4. Electoral wards.

16 A. Until modified in accordance with law, the City shall be divided into six electoral
17 wards, numbered one through six in a clockwise direction. The boundaries of the electoral
18 wards shall be established by ordinance, which may adopt by inclusion or by reference the map
19 labeled 'City Voting Wards 1986' or a similar map. In the initial adoption of the ordinance, the
20 Council need not follow the procedural requirements of Chapter 160A of the General Statutes,
21 Article 5, Part 4, and no public hearing shall be required. The map shall be maintained and may
22 be modified from time to time in accordance with the provisions of Articles 4 and 4A, Chapter
23 160A of the General Statutes, as follows:

24 **District 1:** Davidson County: VTD 10: Block(s) 0570618032000, 0570618032001,
25 0570618032002, 0570618032009; VTD 30: Block(s) 0570615001045, 0570615001046,
26 0570615001047, 0570615002011, 0570615003020, 0570615003022, 0570615003023,
27 0570615003024, 0570615003025, 0570615003026, 0570615003027, 0570615003028,
28 0570615003029, 0570615003030, 0570615003031, 0570615003032, 0570615003033,
29 0570615003035, 0570615003036, 0570615003037, 0570615003038, 0570615003039,
30 0570615003040, 0570615003041, 0570615003057, 0570615003058, 0570615003059,
31 0570615003060, 0570615003061, 0570615003062, 0570615003063, 0570615003064,
32 0570615003065, 0570615003066, 0570615003067, 0570615003081, 0570615003082,
33 0570615003084, 0570615004011, 0570615004014, 0570615004015, 0570615004016,
34 0570615004017, 0570615004020, 0570615004021, 0570615004022, 0570615004023,
35 0570615004033, 0570615004034, 0570615004036, 0570615004037, 0570615004038,
36 0570615004039, 0570615004040, 0570615004041, 0570615004043, 0570615004044,
37 0570615004045, 0570615004046, 0570615004047, 0570615004048, 0570615004049,
38 0570615004050, 0570615004051, 0570615004052, 0570615004054, 0570618031021,
39 0570618031022, 0570618031023, 0570618031024, 0570618031025, 0570618031026,
40 0570618031027; VTD 40: Block(s) 0570615004053.

41 **District 2:** Davidson County: VTD 28: Block(s) 0570616003005, 0570616003026,
42 0570616003027, 0570617011051, 0570617011052, 0570617012046, 0570617012047,
43 0570617012048, 0570617012050, 0570617012069, 0570617012070, 0570617012071,
44 0570617012074, 0570618031000, 0570618031001, 0570618031002, 0570618031003,
45 0570618031004, 0570618031005, 0570618031006, 0570618031007, 0570618031008,
46 0570618031009, 0570618031010, 0570618031011, 0570618031012, 0570618031013,
47 0570618031014, 0570618031015, 0570618031016, 0570618031017, 0570618031018,
48 0570618031019, 0570618031020, 0570618031028, 0570618031029, 0570618031030,
49 0570618031031, 0570618031032, 0570618031033, 0570618031034, 0570618031035,
50 0570618031036, 0570618031037, 0570618032003, 0570618032004, 0570618032005,
51 0570618032006, 0570618032007, 0570618032008, 0570618032015, 0570618032016,

1 0570618032018, 0570618032019, 0570618032020, 0570618032021, 0570618032022,
2 0570618032023; VTD 30: Block(s) 0570615004008, 0570615004024, 0570615004025,
3 0570615004026, 0570615004027, 0570615004028, 0570615004029, 0570615004030,
4 0570615004031, 0570615004035, 0570615004059; VTD 32: Block(s) 0570615001009,
5 0570615001010, 0570615001011, 0570615001012, 0570615001013, 0570615001023,
6 0570615001024, 0570615001025, 0570615001026, 0570615001027, 0570615001028,
7 0570615001029, 0570615001030, 0570615001031, 0570615001032, 0570615001040,
8 0570615001041, 0570615001042, 0570615001043, 0570615001044, 0570615004000,
9 0570615004001, 0570615004002, 0570615004003, 0570615004004, 0570615004005,
10 0570615004006, 0570615004007, 0570615004009, 0570615004010, 0570615004012,
11 0570615004013, 0570615004019, 0570615004032, 0570616001003, 0570616001004,
12 0570616001005, 0570616001006, 0570616001007, 0570616001008, 0570616001011,
13 0570616001012, 0570616001026, 0570616001027, 0570616001028, 0570616001031,
14 0570616002000, 0570616002001, 0570616002002, 0570616002003, 0570616002004,
15 0570616002005, 0570616002006, 0570616002007, 0570616002008, 0570616002009,
16 0570616002010, 0570616002011, 0570616002012, 0570616002013, 0570616002014,
17 0570616002015, 0570616002016, 0570616002017, 0570616002018, 0570616002019,
18 0570616002020, 0570616002021, 0570616002022, 0570616002023, 0570616002024,
19 0570616002025, 0570616002026, 0570616003000, 0570616003001, 0570616003003,
20 0570616003037, 0570616003038, 0570616003040, 0570616003041, 0570616003042,
21 0570616003043, 0570616003044, 0570616003046, 0570616003047.
22 **District 3: Davidson County: VTD 24: Block(s) 0570612012019, 0570612013008; VTD 26:**
23 **Block(s) 0570612013015, 0570612013025, 0570612013062, 0570612013063,**
24 **0570612013077, 0570612013078, 0570612013079, 0570612013080, 0570612013081,**
25 **0570612022039, 0570612022040; VTD 28: Block(s) 0570616003036; VTD 34: Block(s)**
26 **0570612012013, 0570612012014, 0570612012017, 0570612012028, 0570612012029,**
27 **0570612012030, 0570612012031, 0570612012032, 0570612012033, 0570612012034,**
28 **0570612012035, 0570612012049, 0570612012050, 0570612012052, 0570612012053,**
29 **0570612012054, 0570612012055, 0570612012056, 0570612013000, 0570612013001,**
30 **0570612013002, 0570612013003, 0570612013004, 0570612013005, 0570612013006,**
31 **0570612013011, 0570612013020, 0570612013026, 0570612013027, 0570612013029,**
32 **0570612013030, 0570612013031, 0570612013032, 0570612013033, 0570612013036,**
33 **0570612013037, 0570612013038, 0570612013039, 0570612013040, 0570612013041,**
34 **0570612013042, 0570612013043, 0570612013044, 0570612013045, 0570612013046,**
35 **0570612013047, 0570612013048, 0570612013049, 0570612013050, 0570612013051,**
36 **0570612013052, 0570612013053, 0570612013054, 0570612013056, 0570612013057,**
37 **0570612013058, 0570612013059, 0570612013060, 0570612013061, 0570612013071,**
38 **0570612013072, 0570612013073, 0570612013074, 0570612013075, 0570612013076,**
39 **0570612013082, 0570612014005, 0570612014006, 0570612014007, 0570612014008,**
40 **0570612014009, 0570612014010, 0570612014011, 0570612014012, 0570612014013,**
41 **0570612014014, 0570612014015, 0570612014016, 0570612014017, 0570612014018,**
42 **0570612014019, 0570612014020, 0570612014021, 0570612014025, 0570612014026,**
43 **0570612014027, 0570612014028, 0570612014029, 0570612014030, 0570612014031,**
44 **0570612014032, 0570612014033, 0570612014039, 0570612014040, 0570612014041,**
45 **0570612014042, 0570612014043, 0570612014044, 0570612014045, 0570612014052,**
46 **0570612014053, 0570612014054, 0570612014055, 0570612014056, 0570612014057,**
47 **0570612014058, 0570612014059, 0570612014060, 0570612014061, 0570612014062,**
48 **0570613002000, 0570613002001, 0570613002002, 0570613002003, 0570613002004,**
49 **0570613002005, 0570613002006, 0570613002007, 0570613002008, 0570613002009,**
50 **0570613002010, 0570613002013, 0570613002014, 0570613002015, 0570613002016,**
51 **0570613002017, 0570613002018, 0570613002019, 0570613002020, 0570613002021,**

1 0570613002022, 0570613002023, 0570613002024, 0570613002025, 0570613002026,
2 0570613002027, 0570613002028, 0570613002029.
3 **District 4:** Davidson County: VTD 22: Block(s) 0570612011052, 0570612011053,
4 0570612011086; VTD 32: Block(s) 0570613001057, 0570613001058, 0570613001059,
5 0570613001069, 0570613001070, 0570615001014, 0570616001000, 0570616001001,
6 0570616001002, 0570616001009, 0570616001010, 0570616001013, 0570616001014,
7 0570616001015, 0570616001016, 0570616001017, 0570616001018, 0570616001019,
8 0570616001020, 0570616001021, 0570616001022, 0570616001023, 0570616001024,
9 0570616001025, 0570616001029, 0570616001030, 0570616001032; VTD 34: Block(s)
10 0570612011038, 0570612011040, 0570612011041, 0570612011042, 0570612011065,
11 0570612014001, 0570612014002, 0570612014003, 0570612014004, 0570612014022,
12 0570612014023, 0570612014034, 0570612014035; VTD 36, VTD 38: Block(s)
13 0570612011082, 0570614003000, 0570614003004, 0570614003005, 0570614003012,
14 0570614003013, 0570614003015, 0570614003019, 0570614003020, 0570614003021,
15 0570614003022, 0570614003023, 0570614003024, 0570614003027, 0570614003028,
16 0570614003029, 0570614003036, 0570614003043, 0570614003044, 0570614003045,
17 0570614003046, 0570614003047, 0570614003048, 0570614003049, 0570614004019,
18 0570614004020, 0570614004021, 0570614004024, 0570614004026, 0570614004027.
19 **District 5:** Davidson County: VTD 20: Block(s) 0570614001016; VTD 22: Block(s)
20 0570614002007; VTD 30: Block(s) 0570615001048, 0570615003034, 0570615003046,
21 0570615003047, 0570615003055, 0570615003056, 0570615004018; VTD 38: Block(s)
22 0570612011078, 0570612011083, 0570612011084, 0570612011085, 0570614001000,
23 0570614001008, 0570614001009, 0570614001010, 0570614001011, 0570614001012,
24 0570614001013, 0570614001014, 0570614001015, 0570614001017, 0570614001019,
25 0570614001020, 0570614002002, 0570614002003, 0570614002004, 0570614002006,
26 0570614002011, 0570614002015, 0570614002016, 0570614002017, 0570614002018,
27 0570614002019, 0570614002020, 0570614002021, 0570614002022, 0570614002023,
28 0570614002024, 0570614002025, 0570614002031, 0570614002032, 0570614002040,
29 0570614002041, 0570614002042, 0570614002043, 0570614002045, 0570614003001,
30 0570614003002, 0570614003003, 0570614003006, 0570614003007, 0570614003008,
31 0570614003009, 0570614003010, 0570614003014, 0570614003016, 0570614003017,
32 0570614003018, 0570614003025, 0570614003026, 0570614003030, 0570614003031,
33 0570614003032, 0570614003033, 0570614003039, 0570614003041, 0570614003042,
34 0570614004000, 0570614004001, 0570614004002, 0570614004003, 0570614004004,
35 0570614004005, 0570614004006, 0570614004007, 0570614004008, 0570614004009,
36 0570614004010, 0570614004011, 0570614004012, 0570614004013, 0570614004014,
37 0570614004015, 0570614004016, 0570614004017, 0570614004018, 0570614004022,
38 0570614004023, 0570614004025, 0570615001000, 0570615001001, 0570615001002,
39 0570615001003, 0570615001004, 0570615001005, 0570615001006, 0570615001007,
40 0570615001008, 0570615001015, 0570615001019, 0570615001020, 0570615001021,
41 0570615001022, 0570615001033, 0570615001034, 0570615001035, 0570615001036,
42 0570615001039, 0570615001049, 0570615001050, 0570615002001, 0570615003042,
43 0570615003043, 0570615003044, 0570615003045, 0570615003048, 0570615003049,
44 0570615003050, 0570615003051, 0570615003052, 0570615003053, 0570615003054; VTD
45 40: Block(s) 0570614002030, 0570614002033, 0570614002044.
46 **District 6:** Davidson County: VTD 08: Block(s) 0570615003086, 0570618021086,
47 0570618021087; VTD 10: Block(s) 0570618034027, 0570618034028, 0570618034035,
48 0570618034036, 0570618034040, 0570618034041, 0570618034046, 0570618034051; VTD
49 20: Block(s) 0570619021021; VTD 30: Block(s) 0570615003087; VTD 38: Block(s)
50 0570614002008, 0570614002009, 0570614002010, 0570615001016, 0570615001017,
51 0570615002002; VTD 40: Block(s) 0570614001021, 0570614001022, 0570614001024,

1 0570614001025, 0570614001026, 0570614002012, 0570614002013, 0570614002014,
2 0570614002026, 0570614002027, 0570614002028, 0570614002029, 0570614002034,
3 0570614002035, 0570614002036, 0570614002037, 0570614002038, 0570614002039,
4 0570615001018, 0570615001037, 0570615001038, 0570615002000, 0570615002003,
5 0570615002004, 0570615002005, 0570615002006, 0570615002007, 0570615002008,
6 0570615002009, 0570615002010, 0570615002012, 0570615002013, 0570615002014,
7 0570615002015, 0570615002016, 0570615002017, 0570615002018, 0570615002019,
8 0570615002020, 0570615002021, 0570615002022, 0570615002023, 0570615002024,
9 0570615002025, 0570615002026, 0570615002027, 0570615002028, 0570615002029,
10 0570615002030, 0570615002031, 0570615002032, 0570615002033, 0570615002034,
11 0570615002035, 0570615002036, 0570615002037, 0570615002038, 0570615003001,
12 0570615003002, 0570615003003, 0570615003005, 0570615003006, 0570615003007,
13 0570615003008, 0570615003009, 0570615003010, 0570615003011, 0570615003012,
14 0570615003013, 0570615003014, 0570615003015, 0570615003016, 0570615003017,
15 0570615003018, 0570615003019, 0570615003021, 0570615003068, 0570615003069,
16 0570615003070, 0570615003071, 0570615003072, 0570615003073, 0570615003074,
17 0570615003075, 0570615003076, 0570615003077, 0570615003078, 0570615003079,
18 0570615003080, 0570615003083, 0570615003085, 0570615004042, 0570618021002,
19 0570618034000, 0570618034001, 0570618034002, 0570618034003, 0570618034004,
20 0570618034005, 0570618034006, 0570618034008, 0570618034010, 0570618034011,
21 0570618034012, 0570618034013, 0570618034014, 0570618034015, 0570618034016,
22 0570618034017, 0570618034019, 0570618034022, 0570618034023, 0570618034024,
23 0570618034025, 0570618034026, 0570618034029, 0570618034030, 0570618034031,
24 0570618034032, 0570618034033, 0570618034034, 0570618034043, 0570618034044,
25 0570618034045, 0570618034048.

26 B. The names and boundaries of voting tabulation districts, tracts, block groups, and
27 blocks specified in this section are as shown on the 2010 Census Redistricting TIGER/Line
28 Shapefiles. If any voting tabulation district boundary is changed, that change shall not change
29 the boundary of a district, which shall remain the same as it is depicted by the 2010 Census
30 Redistricting TIGER/Line Shapefiles.

31 C. Nothing in this section shall expand the corporate limits of the City; if this section
32 assigns an area outside the corporate limits of the City, it shall have no effect. If this section
33 does not specifically assign any area within the corporate limits of the City to a district, and the
34 area is:

- 35 (1) Entirely surrounded by a single district, the area shall be deemed to have
36 been assigned to that district.
37 (2) Contiguous to two or more districts, the area shall be deemed to have been
38 assigned to that district which contains the least population according to the
39 2010 United States Census."

40 **SECTION 3.** The Legislative Services Officer shall certify a true copy of the block
41 assignment file associated with any mapping software used to generate the language in Section
42 2 of this act. The certified true copy of the block assignment file shall be delivered by the
43 Legislative Services Officer to the Davidson County Board of Elections and the City of
44 Lexington.

45 **SECTION 4.** This act is effective when it becomes law and applies to elections
46 held on or after that date.