

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 508

Short Title: Appointments/Bd of Elections/Certain Counties. (Local)

Sponsors: Representatives Burr, Howard, and Ford (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Elections and Ethics Law

March 29, 2017

A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR THE APPOINTMENT OF MEMBERS TO THE BOARD OF
ELECTIONS IN THE COUNTIES OF STANLY, DAVIE, AND ROWAN.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 163-30 reads as rewritten:

"§ 163-30. County boards of elections; appointments; terms of office; qualifications; vacancies; oath of office; instructional meetings.

In every county of the State there shall be a county board of elections, to consist of three persons of good moral character who are registered voters in the county in which they are to act. Members of county boards of elections shall be appointed by the State Board of Elections on the last Tuesday in June 1985, and every two years thereafter, and their terms of office shall continue for two years from the specified date of appointment and until their successors are appointed and qualified. Not more than two members of the county board of elections shall belong to the same political party.

No person shall be eligible to serve as a member of a county board of elections who holds any elective office under the government of the United States, or of the State of North Carolina or any political subdivision thereof.

No person who holds any office in a state, congressional district, county or precinct political party or organization, or who is a campaign manager or treasurer of any candidate or political party in a primary or election, shall be eligible to serve as a member of a county board of elections, provided however that the position of delegate to a political party convention shall not be considered an office for the purpose of this section.

No person shall be eligible to serve as a member of a county board of elections who is a candidate for nomination or election.

No person shall be eligible to serve as a member of a county board of elections who is the wife, husband, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law, father, father-in-law, sister, sister-in-law, brother, brother-in-law, aunt, uncle, niece, or nephew of any candidate for nomination or election. Upon any member of the board of elections becoming ineligible, that member's seat shall be declared vacant. This paragraph only applies if the county board of elections is conducting the election for which the relative is a candidate.

The State chairman of each political party shall have the right to recommend to the State Board of Elections three registered voters in each county for appointment to the board of elections for that county. If such recommendations are received by the Board 15 or more days before the last Tuesday in June 1985, and each two years thereafter, it shall be the duty of the State Board of Elections to appoint the county boards from the names thus



1 ~~recommended~~ recommended as follows: two from the list of three submitted by the political
2 party having the majority of members serving on the Board of County Commissioners and one
3 from the list of three submitted by the political party having the minority of members serving
4 on the Board of County Commissioners, when applicable.

5 Whenever a vacancy occurs in the membership of a county board of elections for any cause
6 the State chairman of the political party of the vacating member shall have the right to
7 recommend two registered voters of the affected county for such office, and it shall be the duty
8 of the State Board of Elections to fill the vacancy from the names thus recommended.

9 At the meeting of the county board of elections required by G.S. 163-31 to be held on
10 Tuesday following the third Monday in July in the year of their appointment the members shall
11 take the following oath of office:

12 "I, _____, do solemnly swear (or affirm) that I will support the
13 Constitution of the United States; that I will be faithful and bear true allegiance
14 to the State of North Carolina and to the constitutional powers and authorities
15 which are or may be established for the government thereof; that I will endeavor
16 to support, maintain and defend the Constitution of said State, not inconsistent
17 with the Constitution of the United States; and that I will well and truly execute
18 the duties of the office of member of the _____ County Board of Elections
19 to the best of my knowledge and ability, according to law; so help me God."

20 Each member of the county board of elections shall attend each instructional meeting held
21 pursuant to G.S. 163-46, unless excused for good cause by the chairman of the board, and shall
22 be paid the sum of twenty-five dollars (\$25.00) per day for attending each of those meetings."

23 **SECTION 1.(b)** This section applies to the counties of Stanly, Davie, and Rowan
24 only.

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