

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 174
Committee Substitute Favorable 3/7/23
PROPOSED COMMITTEE SUBSTITUTE H174-PCS40168-CH-4

Short Title: W-S/Forsyth Bd. of Ed./Rural Hall Even-Year.

(Local)

Sponsors:

Referred to:

February 23, 2023

A BILL TO BE ENTITLED

AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR EVEN-YEAR ELECTIONS IN THE TOWN OF RURAL HALL.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 2(a)(5)(i) of Chapter 112 of the 1961 Session Laws reads as rewritten:

"(i) ~~The board~~ Winston-Salem/Forsyth County Board of Education shall ~~continue to be~~ composed of ~~eight persons and the then members of the board~~ nine members who shall continue in office (regardless of the term for which they were originally appointed) until their successors are elected and qualified, as hereinafter provided."

SECTION 1.(b) Section 2(a)(5)(ii) of Chapter 112 of the 1961 Session Laws, as rewritten by Chapter 466 of the 1985 Session Laws, and as amended by Chapter 696 of the 1991 Session Laws, S.L. 2009-72, and S.L. 2011-141, reads as rewritten:

"(ii) ~~Effective on the first Monday in December 1986, the Members of the Winston-Salem/Forsyth County Board of Education shall be composed of nine members. In the 2010 election, nine persons shall be elected to the Winston-Salem/Forsyth County Board of Education for serve staggered four-year terms. The terms of those elected in 2010 for two year terms shall instead expire on the first Monday in December of 2014. Members shall be elected as follows:~~

~~In 2014:~~

- (1) ~~Two persons~~ members shall be elected from District 1.
- (2) ~~Four persons~~ members shall be elected from District 2.
- (3) ~~Three members shall be elected at large~~ at large from all of Forsyth County.

~~Successors to those elected in 2014 shall serve four-year terms.~~

For an at-large seat, any qualified voter of Forsyth County is eligible to vote. For the district seats, only qualified voters of the district shall be eligible to be candidates and only qualified voters of the district shall be eligible to vote.

~~The districts as established for the purpose of this subparagraph are for the 2010 election those established under G.S. 115C-37(i), which are subject to change for the election in 2014 after the return of the 2010 census. under G.S. 115C-37(i).~~

SECTION 1.(c) To implement the staggering of terms, beginning in 2026, all candidates shall be elected and serve as follows:

- (1) Two candidates shall be elected from District 1. The candidate receiving the highest number of votes for those seats shall serve a four-year term, and that



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1 seat shall be up for election in 2030 and every four years thereafter. The
2 candidate receiving the second highest number of votes for those seats shall
3 serve a two-year term, and that seat shall be up for election in 2028 and every
4 four years thereafter.

5 (2) Four candidates shall be elected from District 2. The two candidates receiving
6 the highest and second highest number of votes for those seats shall serve a
7 four-year term, and those seats shall be up for election in 2030 and every four
8 years thereafter. The candidates receiving the third and fourth highest number
9 of votes for those seats shall serve a two-year term, and those seats shall be up
10 for election in 2028 and every four years thereafter.

11 (3) Three candidates shall be elected from the county at large. The candidates
12 receiving the highest and second highest number of votes for those seats shall
13 serve a four-year term, and those seats shall be up for election in 2030 and
14 every four years thereafter. The candidate receiving the third highest number
15 of votes for those seats shall serve a two-year term, and that seat shall be up
16 for election in 2028 and every four years thereafter.

17 **SECTION 1.(d)** This section does not affect the terms of office of any person elected
18 in 2022 to the Winston-Salem/Forsyth County Board of Education. Each member of the
19 Winston-Salem/Forsyth County Board of Education elected in 2022, or any member appointed
20 to fill a vacancy for a member elected in 2022, shall serve until a successor has been elected and
21 qualified.

22 **SECTION 1.(e)** This section is effective when it becomes law and applies to
23 elections held in 2026 and thereafter.

24 **SECTION 2.(a)** Section 3 of Chapter 1100 of the 1973 Session Laws reads as
25 rewritten:

26 "**Sec. 3.** The Town shall operate under the mayor-council form of government. The ~~council~~
27 officers of the Town shall consist of five—a mayor and four council members to be elected to
28 staggered terms as hereinafter provided. ~~Beginning with the regular municipal election to be held~~
29 ~~in 1975, the three candidates receiving the highest number of votes shall be elected for terms of~~
30 ~~four years and the two candidates receiving the next highest number of votes shall be elected for~~
31 ~~terms of two years. Thereafter, as the terms of the members expire, their successors~~ The mayor
32 and council members shall be elected for terms of four years. ~~The mayor shall be elected for a~~
33 ~~term of two years by the council from its membership."~~

34 **SECTION 2.(b)** Section 4 of Chapter 1100 of the 1973 Session Laws reads as
35 rewritten:

36 "**Sec. 4.** The elections for municipal officers in the Town of Rural Hall shall be conducted
37 using the nonpartisan and decided by a simple plurality. ~~No primary election shall be held.~~
38 primary and election method and the results determined in accordance with G.S. 163-294. The
39 elections shall be held and conducted by the Forsyth County Board of Elections, and except as
40 otherwise provided herein, shall be held and conducted in accordance with ~~Articles 23 and 24 of~~
41 Chapter 163 of the General Statutes."

42 **SECTION 2.(c)** Section 5 of Chapter 1100 of the 1973 Session Laws reads as
43 rewritten:

44 "**Sec. 5.** A regular municipal election shall be held ~~on Tuesday after the first Monday in~~
45 ~~November, 1975, and every two years thereafter for the election of the Town Councilmen.~~ in the
46 Town of Rural Hall at the time of the general election in each even-numbered year. Candidates
47 for election shall be nominated at the same time and manner as county officers. Vacancies
48 occurring for any reason in the council shall be filled for the unexpired term by appointment by
49 the remaining members of the council. A vacancy in the office of mayor shall be filled for the
50 unexpired term by appointment by the council."

1 **SECTION 2.(d)** In the 2023 municipal election, the mayor and two council members
2 shall be elected to serve three-year terms. In the 2025 municipal election, two council members
3 shall be elected to serve three-year terms.

4 **SECTION 2.(e)** Regular municipal elections shall be conducted in the Town of Rural
5 Hall in even-numbered years beginning in 2026. In 2026 and every four years thereafter, the
6 mayor and two council members shall be elected to serve four-year terms. In 2028 and every four
7 years thereafter, two council members shall be elected to serve four-year terms.

8 **SECTION 2.(f)** This section is effective when it becomes law and applies to
9 elections held on or after that date.

10 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
11 law.