



HOUSE BILL 1133: Partisan Election/Transylvania Bd. of Ed.

2016-2017 General Assembly

Committee:	House Elections	Date:	June 7, 2016
Introduced by:	Rep. Whitmire	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Co-Counsel

SUMMARY: *HB 1133 would change the election method for the Transylvania Board of Education from nonpartisan to partisan, and make changes to the vacancy appointment process for that Board.*

CURRENT LAW: The Transylvania Board of Education (Board) is a 5 member board elected to 4 year terms of office on a nonpartisan basis using the plurality method at the general election in even numbered years.

Vacancies on the Board are filled by appointment of the remaining members of the Board. The person appointed to fill the vacancy serves until the next election for the Board, unless the vacancy occurs after the filing period of the general election in middle of the 4 year term, in which case the person is appointed for the remainder of the term.

BILL ANALYSIS: HB 1133 would change the method of election for the Board from nonpartisan to partisan beginning with elections conducted in 2018. The primary and election for the Board would be held at the same time as for county officers in even-numbered years.

HB 1133 would also make changes to the vacancy appointment process for the Board. Beginning in 2018, to be eligible for appointment by the Board to fill a vacancy, the potential appointee would have to be a member of the same political party as the member being replaced, and must have been affiliated with that party for at least 90 days as of the date of the appointment. Vacancies appointments would be until the next election for the Board was held, unless the vacancy occurred after the opening of the filing period for the primary of a general election occurring midway through the 4 year term, in which case the appointment would be for the remainder of the vacating member's term of office.

HB 1133 would not affect the term of office for any member elected to the Board in 2014 or 2016. Any appointee to fill the vacancy of a member elected in 2014 or 2016 would serve until a successor has been elected and qualified.

EFFECTIVE DATE: HB 1133 would become effective when it becomes law.

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