



# HOUSE BILL 71: Clarify County Comm Oath Filing

2015-2016 General Assembly

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<b>Committee:</b>	Senate State and Local Government	<b>Date:</b>	May 12, 2015
<b>Introduced by:</b>	Reps. Hurley, McNeill	<b>Prepared by:</b>	Brad Krehely
<b>Analysis of:</b>	First Edition		Committee Counsel

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**SUMMARY:** *House Bill 71 clarifies that the oath of office taken by a member of a board of county commissioners must be filed with the clerk to the board of commissioners.*

**CURRENT LAW:** Current G.S. 153A-26 requires that the oath of office of a person appointed or elected to a board of county commissioners must be filed with the "clerk". "Clerk" is defined in G.S. 153A-1(2) as the clerk to the board of commissioners.

**BILL ANALYSIS:** House Bill 71 amends State law to further clarify that an oath of a person appointed or elected to a board of county commissioners must be filed with the clerk to the board of county commissioners.

**EFFECTIVE DATE:** This act becomes effective October 1, 2015.

**BACKGROUND:** G.S. 14-229 requires all oaths of office to be filed in the "proper office" for oaths. Prior to 1974, State law required a commissioner oath to be filed with the local clerk of superior court. (G.S. 153-7, *repealed*).

Giles Perry, Staff Attorney with the Research Division, contributed substantially to this summary.

O. Walker Reagan  
Director



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Research Division  
(919) 733-2578