



# HOUSE BILL 71: Clarify County Commissioner Oath Filing

2015-2016 General Assembly

**Committee:**

**Introduced by:**

**Analysis of:** S.L. 2015-24

**Date:**

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Research Assistant

**SUMMARY:** S.L. 2015-24 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.

*This act became effective October 1, 2015.*

**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:** S.L. 2015-24 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.

**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 (G.S. 153-7, *repealed*).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.

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