



HOUSE BILL 447: Lexington City Bd. of Ed./City Council.

2017-2018 General Assembly

Committee:	Senate Select Committee on Elections. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 20, 2017
Introduced by:	Reps. Potts, Watford	Prepared by:	Erika Churchill, Kara McCraw, and Jessica Sammons
Analysis of:	PCS to Second Edition H447-CSST-34		Committee Co-Counsel

OVERVIEW: *The PCS for House Bill 447 would (i) change the Lexington City Board of Education from nine appointed members to seven members elected on a nonpartisan basis in odd-numbered years; and (ii) establish six electoral wards for the Lexington City Council for use beginning in the 2017 municipal election.*

Section 1 – Lexington City Board of Education

CURRENT LAW: The Lexington City Board of Education consists of nine members appointed for three-year terms. The Lexington City Council appoints eight of the members: one member from each of the six wards of the city and two at-large members. The Board of County Commissioners of Davidson County appoints the ninth member, who must reside within the limits of the Lexington City School Administrative Unit but outside of the corporate limits of the City of Lexington. If the Board of County Commissioners does not make the appointment within 60 days of receiving the request from the City Council, the City Council may then make the appointment.

No member of the Board may serve for more than two consecutive full terms without an intervening period of three years.

BILL ANALYSIS: The PCS for House Bill 447 would make the following changes to the Lexington City Board of Education:

- Composition of the Board: The size of the Board would be reduced to seven members: one member from each of the six wards of the City of Lexington, and one member from outside of the corporate limits of the City of Lexington but still within the jurisdictional area of the Lexington City School Administrative Unit.
- Term Length: Members would serve staggered four-year terms.
- Selection of Members: Members would be elected in nonpartisan plurality elections held at the general election in odd-numbered years. Newly-elected members would take office and qualify on the first Monday in December following the election. To implement the staggering of terms, the following would apply:
 - In 2017, members from Wards 4, 5, and 6, as well as from the area outside of the City of Lexington's corporate limits, would stand for election for a four-year term.

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House PCS 447

Page 2

- In 2017, members from Wards 1, 2, and 3 would stand for election for a two-year term. In 2019, members from these wards would stand for election for a four-year term.
- The terms of the current members would expire upon the qualification of members elected in 2017.
- Filing Vacant Seats: Vacancies on the Board would be filled by the remaining members of the Board, with the appointee serving until the next election of Board members, at which time the remaining unexpired term would be filled by election.
- Residency Requirement: Members would be required to reside in the ward or area that the member represents for the length of the term.

Section 2 – Lexington City Council Districts

CURRENT LAW: The Lexington City Council consists of eight members elected for staggered four-year terms. One member is elected from each of six electoral wards and two members are elected at-large. Elections are held on the Tuesday after the first Monday in November. Elections are conducted on a nonpartisan basis, and the results are determined using the plurality method in G.S. 163-292.

BILL ANALYSIS: The PCS for House Bill 447 would establish new boundaries for the six electoral wards in the City of Lexington, and retain the current staggered terms of office.

See the provided map and associated stat pack for the new boundaries for further information.

EFFECTIVE DATE: This act would be effective when it becomes law and apply to elections held on or after that date.