



HOUSE BILL 481: Voter Initiative for Beaufort County.

2019-2020 General Assembly

Committee:	House Elections and Ethics Law. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	July 10, 2019
Introduced by:	Rep. Kidwell	Prepared by:	Kara McCraw*
Analysis of:	Third Edition		Committee Counsel

OVERVIEW: House Bill 481 would establish a procedure for the people of Beaufort County to initiate a referendum on whether to make changes to the structure of the Beaufort County Board of Commissioners.

CURRENT LAW: Part 4 of Article 4 of Chapter 153A authorizes a county board of commissioners (BOC) to initiate a referendum to be submitted to the people on whether to make any of the following changes to the structure of the BOC:

- The number of board members.
- The length and staggering of terms of office.
- The mode of election (at-large, residency, or electoral districts).
- The method of selecting a chair.

To initiate any structural changes, the BOC must adopt a resolution describing the proposal, setting forth the method of board transition, defining any electoral districts, and calling for a referendum. If the referendum is successful, the changed structure would be the basis for electing new BOC members at the first primary and general election for county offices conducted after the changes are approved and the changes would take effect on the first Monday in December following that general election.

BILL ANALYSIS: House Bill 481 would establish a procedure for the people of Beaufort County to initiate by petition a referendum on changes to the structure of the Beaufort County BOC that would require:

- Submission of a petition to the county board of elections signed by the lesser of 5,000 registered voters or 15% of the registered voters of the county calling for a special election on a resolution detailing the specific changes sought.
- Upon receipt of a valid petition, the county board of elections must call for a referendum on adopting the resolution. This special election would be conducted at the next countywide election occurring at least 90 days after receipt of the petition.

If approved, the changes would remain in force for at least two years. No new initiative petition covering the same subject matter could be filed within a year and six months of either (i) the effective date of a resolution adopting alterations or (ii) the date of any election on alterations defeated by the voters.

EFFECTIVE DATE: The act would become effective when the bill becomes law.

BACKGROUND: G.S. 160A-104 contains a similar procedure for the people to initiate proposed amendments to municipal charters.

**This summary was substantially contributed to by Billy Godwin, Staff Attorney.*

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