



SENATE BILL 138: Even-Yr Municipal Elections/Town of Black Mtn.

2019-2020 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: May 22, 2019
Introduced by: Sen. Edwards	Prepared by: Jessica Sammons
Analysis of: Second Edition	Staff Attorney

OVERVIEW: Senate Bill 138 would change the regular municipal election cycle from odd-numbered years to even-numbered years for the Towns of Black Mountain, Biltmore Forest, and Ronda, extending the terms of the current town officers one year to implement the new election schedule, and would require the county board of elections to set the filing period for notices of candidacy.

CURRENT LAW: Generally, municipal elections are held in odd-numbered years. G.S. 163A-1585. The Towns of Black Mountain, Biltmore Forest, and Ronda all conduct municipal elections in odd-numbered years, held on the Tuesday after the first Monday in November. Elections for all three towns are conducted on a nonpartisan basis and the results are determined using the plurality method in G.S. 163A-1616. Newly elected officers take office on the first Monday in December following the election.

The following chart summarizes the current town officers and their terms of office in the Towns of Black Mountain, Biltmore Forest, and Ronda:

	Town Officers	Terms of Officers	Current Terms of Officers
Black Mountain (Buncombe Co.)	Mayor Board of Aldermen (5 members)	<u>Mayor:</u> Four years <u>Aldermen:</u> Four years, staggered	<u>Mayor:</u> Term expires in 2021 <u>Aldermen:</u> Term for 3 members expire in 2019; term for 2 members expire in 2021
Biltmore Forest (Buncombe Co.)	Mayor Board of Town Commissioners (3 members)	<u>Mayor:</u> Four years <u>Commissioners:</u> Four years, non-staggered	<u>Mayor:</u> Term expires in 2019 <u>Commissioners:</u> Terms expire in 2019
Ronda (Wilkes Co.)	Mayor Board of Town Commissioners (5 members)	<u>Mayor:</u> Four years <u>Commissioners:</u> Four years, staggered	<u>Mayor:</u> Term expires in 2019 <u>Commissioners:</u> Term for 2 members expire in 2019; term for 3 members expire in 2021

BILL ANALYSIS: Senate Bill 138 would amend the charters for the Towns of Black Mountain, Biltmore Forest, and Ronda to require that regular municipal elections be held on the Tuesday following the first Monday in November in even-numbered years, beginning in 2020.

To implement this change, municipal elections would not be conducted in the towns in 2019, and the terms of current town officers would be extended one year. The next municipal elections in these towns would be held in 2020, and every four years thereafter.

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Senate Bill 138

Page 2

In the Towns of Black Mountain and Biltmore Forest, the Buncombe County Board of Elections would be required to set the time period for candidates seeking office to file notices of candidacy. In the Town of Ronda, the Wilkes County Board of Elections would be required to set the time period for candidates seeking office to file notices of candidacy.

EFFECTIVE DATE: Effective when it becomes law and applies to elections held on or after that date.

BACKGROUND: Regular municipal elections in most municipalities are held in odd-numbered years. The following municipalities hold regular municipal elections in even-numbered years:

- Albemarle, Badin, Locust, Misenheimer, New London, Norwood, Oakboro, Red Cross, Richfield, Stanfield (*all municipalities in Stanly County*) (S.L. 2015-253)
- Archdale (*Randolph, Guilford Counties*) (S.L. 2007-41)
- Asheville (*Buncombe County*) (S.L. 2018-123)
- Dobson (*Surry County*) (S.L. 2012-47)
- Elkin (*Surry, Wilkes Counties*) (S.L. 2014-35)
- Jonesville, Boonville, East Bend (*Yadkin County*) (S.L. 2017-56)
- Lincolnton (*Lincoln County*) (S.L. 2017-62)
- Pilot Mountain (*Surry County*) (S.L. 2012-47)
- Troy, Star (*Montgomery County*) (S.L. 2017-12)
- Winston-Salem (*Forsyth County*) (S.L. 2011-141)