



SENATE BILL 139: Even-Yr. Municipal Elections/Town of Montreat.

2019-2020 General Assembly

Committee:	House Elections and Ethics Law. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 5, 2019
Introduced by:	Sen. Edwards	Prepared by:	Jessica Sammons Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: *Senate Bill 139 would change the regular municipal election cycle from odd-numbered years to even-numbered years for the Town of Montreat, extending the terms of the current town officers one year to implement the new election schedule, and would require the Buncombe 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. In the Town of Montreat, officers consist of a mayor and five commissioners serving four-year staggered terms. Elections are held on the Tuesday following the first Monday in November in odd-numbered years. Elections 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.

Currently, the mayor and two commissioners' terms expire in 2019, and three commissioners' terms expire in 2021.

BILL ANALYSIS: Senate Bill 139 would amend the Charter of the Town of Montreat to require regular municipal elections to be held on the Tuesday following the first Monday in November in even-numbered years. The Buncombe County Board of Elections would be required to set the time period for candidates seeking office to file notices of candidacy.

To implement this change, municipal elections would not be conducted in 2019 and the next municipal election would be held in 2020. The current mayor and commissioners whose terms would expire in 2019 would serve until 2020, and stand for election for a four-year term. The current commissioners whose terms would expire in 2021 would serve until 2022, and stand for election for a four-year term. The mayor and commissioners would be elected every four years thereafter.

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)

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- 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)