



HOUSE BILL 400: Asheville City Sch. Bd. Appt/Elections.

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	November 29, 2021
Introduced by:	Reps. Fisher, Turner, Ager	Prepared by:	Jessica Sammons and Sarah Pilon
Analysis of:	Fifth Edition		Committee Co-Counsel

OVERVIEW: *House Bill 400 would do both of the following:*

- *Increase the membership on the board from five members to seven members, fully effective in 2024.*
- *Provide for the election of members of the Asheville City Board of Education, rather than appointment by the Asheville City Council.*

CURRENT LAW: The Asheville City Board of Education consists of five members. Members are appointed by the Asheville City Council in March of the odd-numbered years, and serve staggered four-year terms. Members take office the first day in April following the appointment. In the event of a vacancy, the Asheville City Council fills the vacancy by appointment.

To be considered for appointment to the Asheville City Board of Education, an individual must be a resident of the City of Asheville, known to be in favor of public education, interested in the welfare of the schools, and appointed with the understanding of maintaining the efficiency of the schools without any partisan prejudice or bias.

BILL ANALYSIS: House Bill 400 would do the following:

- Increase the membership of the Asheville City Board of Education to seven members, effective in 2022.
- Provide for the election of the seven Asheville City Board of Education members, fully effective in 2024.

Members of the Asheville City Board of Education would be elected at-large, using the nonpartisan primary and election method and would serve staggered four-year terms. Candidates would be nominated at the same time and manner as other county officers. Members would be elected at the general election in even-numbered years, and would take office at the first board meeting in December following their election. At that meeting, the chair would be elected to serve a two-year term. Vacancies occurring would be filled by appointment by the remaining members of the Asheville City Board of Education until the next election of members of the board, where an election would be held to fill the remaining unexpired term of the office.

To implement this change, an election would be held in 2022 for the members of the Asheville City Board of Education as follows:

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- Four members would be elected in 2022, with the seats of two of the members appointed in 2019 expiring upon the qualification of the members elected to the Asheville City Board of Education in 2022.
- Three members would be elected in 2024, with the seats of three of the members appointed in 2021 expiring upon the qualification of the members elected to the Asheville City Board of Education in 2024.

EFFECTIVE DATE: Except as otherwise provided, effective when it becomes law, and applies to elections conducted on or after that date.