



HOUSE BILL 85: Cleveland Cty Bd of Ed Vacancies.

2021-2022 General Assembly

Committee:	House Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 5, 2021
Introduced by:	Reps. Hastings, Saine	Prepared by:	Sarah Pilon
Analysis of:	PCS to First Edition H85-CSCG-9		Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 85 would provide the following process for filling vacancies on the Cleveland County Board of Education (Board):*

- *The county executive committee of the political party of the vacating member must submit its recommendation to the Board within 30 days the vacancy, and*
- *The Board must appoint that person within seven days of the recommendation.*

CURRENT LAW: The Cleveland County Board of Education consists of nine members elected on a partisan basis for staggered four-year terms. Candidates are nominated at the same time and in the same manner as other county officers, in each even-numbered year as terms expire.

Vacancies on the Board are filled by the remaining members, in accordance with G.S. 115C-37.1. The remaining members of the Board must consult with the county executive committee of the relevant political party before filling a vacancy and must appoint that executive committee's nominee, if the recommendation is made within 30 days after the seat becomes vacant.

BILL ANALYSIS: The PCS for House Bill 35 would require vacancies to be filled for the unexpired term by the Board upon consultation with the county executive committee of the political party of the vacating member. The county executive committee must make a recommendation to the Board within 30 days of a vacancy occurring, and the Board must appoint that person within seven days of the recommendation. Additionally, the PCS would make conforming changes to remove Cleveland County from the G.S. 115C-37.1 vacancy filling process.

EFFECTIVE DATE: Effective when it becomes law and would apply to vacancies existing on or after that date.

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