



## HOUSE BILL 85: Cleveland Cty Bd of Ed Vacancies.

2021-2022 General Assembly

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<b>Committee:</b>	Senate Redistricting and Elections. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	June 3, 2021
<b>Introduced by:</b>	Reps. Hastings, Saine	<b>Prepared by:</b>	Sarah Pilon
<b>Analysis of:</b>	PCS to Second Edition H85-CSCG-13		Staff Attorney

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**OVERVIEW:** *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.*

*The Proposed Committee Substitute (PCS) to House Bill 85 clarifies that the county executive committee making the recommendation to the Board is the county executive committee of the political party of which the vacating member was affiliated at the time of his or her election or appointment.*

**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:** House Bill 85 would require the Board to fill a vacancy for an unexpired term upon the recommendation of 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 bill would make conforming changes to remove Cleveland County from the G.S. 115C-37.1 vacancy filling process for members elected as the nominee of a political party.

The PCS to House Bill 85 clarifies that the county executive committee of the political party making the recommendation to the Board is the county executive committee of the political party of which the vacating member was affiliated at the time of his or her election or appointment.

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

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