



HOUSE BILL 85: Cleveland Cty Bd of Ed Vacancies.

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 7, 2021
Introduced by:	Reps. Hastings, Saine	Prepared by:	Sarah Pilon
Analysis of:	Third Edition		Staff Attorney

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 which the vacating member was affiliated at the time of election or appointment 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: 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 which the vacating member was affiliated at the time of his or her election or appointment. 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.

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

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