



HOUSE BILL 66: Catawba/Newton-Conover/Hickory Bd of Ed Elect.

2023-2024 General Assembly

Committee:	House Local Government. If favorable, re- refer to Rules, Calendar, and Operations of the House	Date:	February 28, 2023
Introduced by:	Reps. Adams, Setzer	Prepared by:	Jessica Sammons
Analysis of:	PCS to First Edition H66-CSBK-2		Anna Parsons Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) to House Bill 66 would do the following:*

- *Change the Catawba County Board of Education election method from nonpartisan to partisan and alter the process for filling Board vacancies, beginning in 2024.*
- *Change the Hickory City Board of Education election method from nonpartisan to partisan and alter the process for filling Board vacancies, beginning in 2023.*
- *Change the Newton-Conover City Board of Education election method from nonpartisan to partisan and alter the process for filling Board vacancies, beginning in 2023.*

[As introduced, this bill was identical to S72, as introduced by Sen. Proctor, which is currently in Senate Redistricting and Elections.]

CURRENT LAW:

Catawba County Board of Education: The Catawba County Board of Education consists of seven members elected for staggered four-year terms. Members are elected at-large by Catawba County qualified voters residing outside the Hickory Administrative School Unit and the Newton-Conover Administrative School Unit boundaries. Elections are held in even-numbered years using the nonpartisan plurality method. G.S. 163-292. Elections are held on the Tuesday after the first Monday in November. G.S. 163-279. Members take office on the first Monday in December following their election. G.S. 115C-37(d).

Vacancies are filled by the remaining Catawba County Board of Education members, with the appointee serving until the next election of Board members, at which time the remaining unexpired term will be filled by election. G.S. 115C-37(f).

Hickory City Board of Education: The Hickory City Board of Education consists of seven members elected for staggered four-year terms. One member is elected from each of the six wards by qualified voters of the ward. One member is elected at-large by qualified voters of the entire Hickory Administrative School Unit. Elections are held in odd-numbered years using the nonpartisan plurality method. G.S. 163-292. Elections are held on the Tuesday after the first Monday in November. G.S. 163-279. Members take office on the first Monday in December following their election. G.S. 115C-37(d).

Vacancies are filled by the remaining Hickory City Board of Education members. If the vacancy occurs during the first two years of the term, the appointee serves until the next election of Board members, at

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which time the remaining unexpired term will be filled by election. G.S. 115C-37(f). If the vacancy occurs during the last two years of the term, the appointee serves for the remainder of the unexpired term.

Newton-Conover City Board of Education: The Newton-Conover City Board of Education consists of six members elected for staggered four-year terms. Three members are elected to represent the Newton district, and three members are elected to represent the Conover district. Elections are held in odd-numbered years using the nonpartisan plurality method. G.S. 163-292. Elections are held on the Tuesday after the first Monday in November. G.S. 163-279. Members take office on the first Monday in December following their election. G.S. 115C-37(d).

Vacancies are filled by the remaining Newton-Conover City Board of Education members.

BILL ANALYSIS and EFFECTIVE DATE: The PCS would provide that members of the Catawba County Board of Education, the Hickory City Board of Education, and the Newton-Conover City Board of Education would be elected on a partisan basis.

Vacancies for positions elected on a partisan basis would be filled by the remaining Board members, provided the Board consults the relevant political party's local executive committee before filling a vacancy and appoints the local executive committee's nominee, if both of the following apply:

- The recommendation is made within 30 days after the seat becomes vacant.
- The county executive committee restricts voting to committee members who represent precincts wholly or partly within the appropriate territory.

For the Catawba County Board of Education, candidates would be nominated and elected at the same time and in the same manner as other county officers, beginning in 2024.

For the Hickory City Board of Education and Newton-Conover City Board of Education, the election would be conducted using the partisan municipal election process under G.S. 163-291, beginning in 2023. Partisan municipal elections are held on the Tuesday after the first Monday in November, with the first primary held on the second Tuesday after Labor Day, and the second primary, if required, held on the fourth Tuesday before the election. G.S. 163-279.