



HOUSE BILL 99: Wake Co. Board of Comm. Elections.

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 1, 2023
Introduced by:	Rep. Paré	Prepared by:	Jessica Sammons
Analysis of:	Third Edition		Staff Attorney

OVERVIEW: *House Bill 99 would do the following:*

- *Beginning in 2024, require that members of the Wake County Board of Commissioners (Board) be elected from electoral districts, rather than residency districts, using the districts adopted by the Board on November 1, 2021.*
- *Beginning in 2026, increase the size of the Board to nine members by adding two members elected from the county at-large to serve staggered four-year terms.*

CURRENT LAW: All members of boards of county commissioners in the State are currently elected in even-numbered years in conjunction with State and federal elections. Members are elected on a partisan basis to serve either a two-year term or a four-year term. Generally, county commissioners are elected either at large, by district, or by a combination of the two, summarized as follows:

- 39 counties: At-large districts – all qualified voters of the county vote for the candidates.
- 23 counties: Residency districts – all candidates must reside in the district, but all qualified voters of the county may vote for the candidate.
- 15 counties: Electoral districts – all candidates must reside in the voting district and only voters residing in that voting district may vote for the candidate.

The Wake County Board of Commissioners consists of seven members elected from residency districts on a partisan basis. Members must reside in the district they represent but are elected by qualified voters of the entire county to serve staggered four-year terms. The election is held on the Tuesday after the first Monday in November with members taking office at the first meeting in December following the election. G.S. 163-279.

BILL ANALYSIS: House Bill 99 would do the following:

- Require that members of the Board be elected from seven single-member electoral districts, using the districts adopted by the Board on November 1, 2021, beginning with the election held in 2024. Members would be elected by the qualified voters who reside within the district.
- Increase the size of the Board to nine members by adding two members elected by the county at-large, beginning with the election held in 2026.

In order to implement the staggering of terms, the following would apply:

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Legislative Analysis
Division
919-733-2578

House Bill 99

Page 2

- For the members elected from electoral districts – In 2024 and every four years after, the candidates elected from Districts 4, 5, and 6 would serve a four-year term. In 2026 and every four years after, the candidates elected from Districts 1, 2, 3, and 7 would serve a four-year term.
- For the members elected at-large – An election would be held in 2026 for two members elected by the county at-large. The candidate receiving the highest number of votes would serve a four-year term, and the candidate receiving the next highest number of votes would serve a two-year term. In 2028 and every two years after, one at-large candidate would be elected.

EFFECTIVE DATE: Effective when it becomes law and applies to elections held on or after that date.