



This Bill Analysis reflects the contents of the bill as it was presented in committee.

# SENATE BILL 248: Nash Bd. of Educ/No. of Members/Districts.

2023-2024 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 31, 2023
<b>Introduced by:</b>	Sens. Barnes, B. Newton	<b>Prepared by:</b>	Erika Churchill
<b>Analysis of:</b>	Third Edition		Staff Attorney

**OVERVIEW:** Senate Bill 248 would do all of the following:

- Decrease the size of the Nash County Board of Education from eleven members to seven members.
- Require the members of the Nash County Board of Education to be elected from the same electoral districts used to elect members of the Nash County Board of Commissioners.
- Annex the portion of Rocky Mount lying in Edgecombe County into the Edgecombe County Public School System, effective July 1, 2024.

**CURRENT LAW:** The Nash County Board of Education ("Nash Board") consists of 11 members elected for four-year staggered terms. Members are elected from single-member electoral districts, and the territory served includes the portion of Rocky Mount lying in Edgecombe County. All candidates must reside in the district in which the election is held, and the seat is voted on by the qualified voters residing within that district.

Elections for Nash Board members are non-partisan, with results determined according to the election and runoff method. G.S. 163-293. Candidates seeking election file a notice of candidacy from noon on the first Friday in July until noon on the first Friday in August. The election is held on the first Tuesday after the first Monday in November, and the runoff, if needed, is held on the first Tuesday in December. Members elected take office on the second Monday in December following their election.

**BILL ANALYSIS:** The bill would do the following:

- With respect to the Nash Board:
  - Decrease the number of members serving on the Nash Board to seven members, beginning in 2026.
  - Require the electoral districts for the Nash Board to be the same electoral districts used to elect members of the Nash County Board of Commissioners. The Nash County Board of Commissioners consists of seven members, each elected from a single-member district serving four-year staggered terms.
  - Amend the filing period to be from noon on the first Friday in July through noon on the third Friday in July.

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578

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- Provide that the five members elected to the Board in 2022 would continue to serve until the end of their term unless that member resigns or otherwise creates a vacancy. If no member elected in 2022 resigns or otherwise creates a vacancy, there would be 12 members serving on the Nash Board from 2024-2026.
- Require that seven members of the Board be elected in 2024. To implement staggered terms, members would be elected in 2024 and thereafter as follows:
  - In 2024 and every four years thereafter, one member from each of Districts 1, 3, and 4 would be elected to serve a four-year term.
  - In 2024, one member from each of Districts 2, 5, 6, and 7 would be elected to serve a two-year term. In 2026 and every four years thereafter, one member from each of Districts 2, 5, 6, and 7 would be elected to serve a four-year term.
- With respect to the Edgecombe County Board of Education, require that board to revise its electoral districts in accordance with G.S. 115C 37(i). The Edgecombe County Board of Education consists of seven members, serving staggered four-year terms from single member electoral districts.
- Require both boards of education, together with the Nash and Edgecombe Boards of County Commissioners, to develop a written plan of transition to implement the changes in the territory served by the public school systems in both counties no later than November 15, 2023. If the four elected bodies fail to submit the written plan of transition to the State Board of Education, the State Board of Education is to adopt the written plan of transition by December 31, 2023.
- Transfer all property of the Nash Board of Education located in Edgecombe County, both real and personal of every kind and description, to the Edgecombe County Board of Education, with both boards of education executing all deeds and other instruments of conveyance as may be necessary to implement the transfer date of July 1, 2024.

**EFFECTIVE DATE:** Effective when it becomes law and applies to elections held beginning in 2024.

**BACKGROUND:** S.L. 1991-391 (SB 612) merged the Nash County and Rocky Mount City School Administrative Units to create the Nash-Rocky Mount School Administrative Unit. The Nash-Rocky Mount School Administrative Unit includes all of Nash County and the portion of the City of Rocky Mount located in Edgecombe County.

On July 1, 2020, the "Nash-Rocky Mount School Administrative Unit" was re-named the "Nash School Administrative Unit," and the "Nash-Rocky Mount Board of Education" was re-named the "Nash Board of Education." Section 5 of S.L. 2016-14.