



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

SENATE BILL 759: Watauga County Board of Commissioners/LST-2.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	October 25, 2023
Introduced by:	Sen. Hise	Prepared by:	Jessica Sammons
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 759 would do all of the following:*

- *Establish electoral districts for the Watauga County Board of Commissioners.*
- *Establish residency districts for the Anson County Board of Commissioners.*
- *Modify when a nonpartisan primary would be held for candidates for the Johnston County Board of Education.*

Section 1 – Watauga County Board of Commissioners:

CURRENT LAW: The Watauga County Board of Commissioners consists of five members, elected at-large on a partisan basis. Members serve staggered terms, with elections held in even-numbered years at the time of the general election for county officers. Every two years, three of the five commissioners are up for election. The candidate receiving the lowest number of votes is elected to serve a two-year term and the remaining members are elected to serve four-year terms.

BILL ANALYSIS: Section 1 would establish five single-member electoral districts for the Watauga County Board of Commissioners. One member from each district would be elected and each member would be required to reside in the district from which they are elected. Members would be elected by the qualified voters residing in that district to serve staggered four-year terms.

In order to implement the staggering of terms, in 2024 and every four years after, the members elected from Districts 3, 4, and 5 would serve a four-year term. In 2026 and every four years after, the members elected from Districts 1 and 2 would serve a four-year term.

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

Section 2 – Anson County Board of Commissioners:

CURRENT LAW: The Anson County Board of Commissioners consists of seven members elected on a partisan basis from seven electoral districts. Only residents of each district are eligible to be candidates for that district, and only the qualified voters who reside in each district are eligible to vote for the district candidate.

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Senate Bill 759

Page 2

Members 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: Section 2 would require the Anson County Board of Commissioners to be elected from seven single-member residency districts. All candidates would be required to reside in the district for which that candidate seeks election, but all qualified voters of the county would be able to vote for the candidate.

The residency districts for the Anson County Board of Commissioners would be the districts used in the 2020 and 2022 elections for the Anson County Board of Commissioners, and these districts would remain in place until revised.

EFFECTIVE DATE: Effective the first Monday in December 2026, with elections conducted accordingly.

Section 3 – Johnston County Board of Education:

CURRENT LAW: The Johnston County Board of Education consists of seven members elected to serve four-year staggered terms. Members are elected at-large by qualified voters residing in the county. Candidates seeking election file a notice of candidacy at the same time as other county officers. Elections for members of the Johnston County Board of Education are held in even-numbered years with members taking office on the first Monday in December following their election. G.S. 115C-37(d).

If the number of candidates qualified to run for the Johnston County Board of Education is at least three more than twice the number of seats being elected for that year, a nonpartisan primary election is held to reduce the number of candidates to twice the number of seats open; otherwise, no nonpartisan primary is held. If needed, the nonpartisan primary is held at the same time as the primary election for other county offices. The number of candidates receiving the highest number of votes, equal to twice the number of the seats open, are then nominated for the general election.

BILL ANALYSIS: Section 3 would modify when a nonpartisan primary would be held for candidates for the Johnston County Board of Education as follows:

- If three or more candidates qualify to run for each district in any election year, a primary would be held. The two candidates receiving the highest number of votes in that primary for each district would be nominated for the general election. No second primary would be allowed.
- If less than three candidates qualify to run for each district in any election year, no primary would be held.

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