



2023-2024 General Assembly

SENATE BILL 91: Amend Rule 4/Acceptance of Service - Part IV, Even Year Election for Certain Sanitary District Boards

| | | | |
|-----------------------|--------------|---------------------|-----------------------------------|
| Committee: | | Date: | December 1, 2023 |
| Introduced by: | | Prepared by: | Erika Churchill Staff Attorney |
| Analysis of: | S.L. 2023-97 | | |

OVERVIEW: *Part IV of S.L. 2023-97 establishes a process by which an elected sanitary board can opt to conduct elections in the even-numbered years, rather than odd-numbered years.*

This part became effective July 10, 2023, and applies to elections held on or after that date.

CURRENT LAW: Chapter 130A of the General Statutes authorizes the establishment of sanitary districts for the purpose of preserving and promoting the public health and welfare. The sanitary districts can be created without regard for county, township, or municipal boundaries. No city or any part of the territory in a city can be included in a sanitary district except at the request of the governing board of the city.

Once established, the governing board of the sanitary district is generally three or five members, elected to serve either two or four year terms of office. The election occurs in the odd-numbered years, at the same time as most municipal elections.

BILL ANALYSIS: Part IV of S.L. 2023-97 establishes a process by which a sanitary district board can conduct elections in the even-numbered years, to coincide with elections for county officers rather than municipal elections. In order to switch to even-year elections, the sanitary district board must adopt a resolution to require the election to be at the time of the election for county officers. The resolution so adopted must be delivered to the county board of elections prior to July 1 of the odd-numbered year. If the county board of elections receives the resolution prior to July 1 of the odd-numbered year, the next election is conducted in the following even-numbered year, and even-numbered years thereafter. To implement this changes, the terms of office of members of that sanitary district board are extended by one year.

If a sanitary district board lies wholly within a county and no resident voter of the sanitary district filed a notice of candidacy in the previous election for the sanitary district board, the board of county commissioners can adopt the resolution to require the election of the sanitary district board to be in even-numbered years.

EFFECTIVE DATE: This part became effective July 10, 2023, and applies to elections conducted on or after that date.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578