



# HOUSE BILL 279: Filling Vacancies/Haywood County Bd. of Comm.

2025-2026 General Assembly

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<b>Committee:</b>	House Election Law. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 18, 2025
<b>Introduced by:</b>	Rep. Pless	<b>Prepared by:</b>	Hillary Woodard
<b>Analysis of:</b>	First Edition		Staff Attorney

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**OVERVIEW:** *House Bill 279 would change the manner in which vacancies on the Haywood County Board of Commissioners are filled when the member vacating the seat was elected as a nominee of a political party to a process in which the board is no longer bound by the recommendation made by the executive committee of the relevant political party.*

**CURRENT LAW:** The Haywood County Board of Commissioners consists of five members elected at-large on a partisan basis. Members are elected to serve staggered four-year terms. The election is held on the Tuesday after the first Monday in November with members taking office on the first Monday in December following the election. G.S. 163-279; G.S. 153A-26.

When a vacancy on a county board of commissioners (board) occurs, generally that vacancy is filled in accordance with G.S. 153A-27 or G.S. 153A-27.1. Currently, the Haywood County Board of Commissioners fills vacancies in accordance with G.S. 153A-27.1.

*Selection of Appointee to Fill a Vacancy:*

Under both statutory processes, the remaining members of the board appoint a new member to fill that vacancy. G.S. 153A-27 requires consultation with the executive committee of the political party of the vacating member but the board is not bound by that political party's recommendation. G.S. 153A-27.1 provides that the board must appoint the recommendation of the political party of the vacating member, if that recommendation is made within 30 days of the vacancy.

*Length of Appointee's Term:*

Both G.S. 153A-27 and G.S. 153A-27.1 have the same rules regarding the length of the appointee's term. How long the appointee will serve depends on the term of the vacating member and when the vacancy occurs during that term, summarized in the following chart:

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Term of Vacating Member	Term of Appointee
Vacating member was serving a 2 year term and vacates office during that term.	Appointee will serve the remainder of the unexpired term.
Vacating member was serving a 4 year term and vacates office later than 60 days before the next general election held after the first two years of the term.	Appointee will serve the remainder of the unexpired term.
Vacating member was serving 4 year term and vacates office more than 60 days before the next general election.	Appointee will serve until the first Monday in December following the next general election. Person elected at the next general election will serve for the remainder of the unexpired term.

**BILL ANALYSIS:** House Bill 279 would remove Haywood County from the list of counties in which G.S. 153A-27.1 applies to provide that the board is not bound by the recommendation of the political party of the vacating member when filling a vacancy on the board.

**EFFECTIVE DATE:** Effective when it becomes law and applies to vacancies filled on or after that date.