



SENATE BILL 876: Various Local Provisions X.

2025-2026 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 16, 2026
Introduced by:	Sen. Ford	Prepared by:	Erika Churchill Staff Attorney
Analysis of:	PCS to Third Edition S876-CSSTe-24		

OVERVIEW: *The proposed committee substitute for Senate Bill 876 would do all of the following:*

- *Change the method of filling vacancies for the Rowan County Board of Commissioners.*
- *Permit the County of Rowan to adopt development regulations governing territory relinquished by the City of Kannapolis within 90 days of the relinquishment.*
- *Require municipal elections for the City of Albemarle to be conducted on a partisan basis and modify how vacancies for municipal office are filled, beginning with the 2028 election.*
- *Require municipal elections for every municipality in Moore County to be held in even-numbered years and conducted on a partisan basis, beginning with the 2028 election.*
- *Require elections for members of the Moore County Board of Education to be conducted on a partisan basis and modify how Board vacancies are filled, beginning with the 2028 election.*
- *Repeal the authority of the Moore County Board of Education to establish an independent campus law enforcement agency, effective July 1, 2026.*
- *Add Chowan County as a participating unit for the Albemarle District Jail Commission, effective July 1, 2026.*
- *Permit the City of Claremont to adopt a building height ordinance.*
- *Permit Harnett County to adopt airport zoning regulations.*

CURRENT LAW, BILL ANALYSIS, AND EFFECTIVE DATE:

Part I – Rowan County Board of Commissioners:

When a vacancy on a county board of commissioners occurs, generally that vacancy is filled in accordance with G.S. 153A-27 or G.S. 153A-27.1. Currently, the Rowan County Board of Commissioners fills vacancies in accordance with G.S. 153A-27. 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 executive committee's recommendation. G.S. 153A-27.1 requires consultation with the executive committee of the political party of the vacating member and provides that the board must appoint the executive committee's recommendation, if that recommendation is made within 30 days of the vacancy.

Kara McCraw
Director



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Effective when it becomes law and applying to vacancies filled on or after that date, **Part I** would provide that the Rowan County Board of Commissioners would be bound by the recommendation of the executive committee of the political party of the vacating member when filling a vacancy on the board, if the recommendation is made within 30 days of the vacancy, in accordance with G.S. 153A-27.1.

Part II – Kannapolis ETJ Relinquishment:

Local governments are prohibited from initiating, enforcing, or enacting amendments to a zoning regulation or zoning map that would constitute a down-zoning in accordance with G.S. 160D-601(d). "Down-zoning" includes amendments that would decrease the permitted density or uses of a property or create any nonconformity on land not in a residential zoning district. It is unclear how this provision would apply to the initial adoption of zoning regulations. G.S. 160D-202(h) provides that when a municipality relinquishes jurisdiction over land it regulates to a county, the municipality's development regulations and enforcement authority remains in effect until (i) the county adopts development regulations in the area or (ii) a period of 60 days has elapsed, whichever is sooner.

Effective when it becomes law and expiring October 1, 2026, **Part II** would permit the County of Rowan to establish zoning regulations governing any ETJ territory relinquished by the City of Kannapolis within 90 days of the relinquishment, notwithstanding the prohibition on downzoning.

Parts III-IV – Municipal Elections:

G.S. 163-279 provides for odd-numbered year municipal elections statewide, creating a default rule for the time of municipal elections. The City of Albemarle has conducted municipal elections in the even-numbered years since 2018. Every municipality in Moore County conducts municipal elections in the odd-numbered years.

The following chart summarizes current town officers, terms of office, and method of election for the City of Albemarle and every municipality in Moore County:

Unit of Government	Officers	Elected Term of Offices	Election of Current Members	Method of Election
Stanly County				
City of Albemarle	Mayor Council Members (7 members, with 4 elected from districts and 3 at-large)	<u>Mayor:</u> four years <u>Council Members:</u> four years, staggered	<u>Mayor:</u> Elected in 2024 <u>Council Members:</u> Three elected in 2022; four elected in 2024	Nonpartisan plurality
Moore County				
Town of Aberdeen	Mayor Commissioners (5 members)	<u>Mayor:</u> four years <u>Commissioners:</u> four years, staggered	<u>Mayor:</u> Elected in 2025 <u>Commissioners:</u> Three elected in 2023; two elected in 2025	Nonpartisan plurality
Town of Cameron	Mayor Commissioners	<u>Mayor:</u> four years	<u>Mayor:</u> Elected in 2025	Nonpartisan plurality

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	(5 members)	<u>Commissioners:</u> four years, staggered	<u>Commissioners:</u> Three elected in 2023; two elected in 2025	
Town of Carthage	Mayor Council Members (5 members)	<u>Mayor:</u> four years <u>Council Members:</u> four years, staggered	<u>Mayor:</u> Elected in 2023 <u>Council Members:</u> Two elected in 2023; three elected in 2025	Nonpartisan plurality
Town of Pinebluff	Mayor Commissioners (5 members)	<u>Mayor:</u> four years <u>Commissioners:</u> four years, staggered	<u>Mayor:</u> Elected in 2025 <u>Commissioners:</u> Three elected in 2023; two elected in 2025	Nonpartisan plurality
Town of Robbins	Mayor Commissioners (5 members)	<u>Mayor:</u> four years <u>Commissioners:</u> four years, staggered	<u>Mayor:</u> Elected in 2023 <u>Commissioners:</u> Two elected in 2023; three elected in 2025	Nonpartisan plurality
Town of Southern Pines	Mayor Council Members (4 members)	<u>Mayor:</u> four years <u>Council Members:</u> four years, staggered	<u>Mayor:</u> Elected in 2023 <u>Council Members:</u> Two elected in 2023; two elected in 2025	Nonpartisan primary and election
Town of Taylortown	Mayor (selected from the Council Members) Council Members (5 members)	<u>Council Members:</u> two years	<u>Council Members:</u> Five elected in 2025	Nonpartisan plurality
Town of Vass	Mayor Commissioners (5 members)	<u>Mayor:</u> two years <u>Commissioners:</u> four years, staggered	<u>Mayor:</u> Elected in 2025 <u>Commissioners:</u> Three elected in 2023; two elected in 2025	Nonpartisan plurality
Village of Foxfire Village	Mayor (selected from the Council Members) Council Members	<u>Council Members:</u> four years, staggered	<u>Council Members:</u> Two elected in 2023; three elected in 2025	Nonpartisan plurality

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	(5 members)			
Village of Pinehurst	Mayor Council Members (4 members)	<u>Mayor:</u> four years <u>Council Members:</u> four years, staggered	<u>Mayor:</u> Elected in 2023 <u>Council Members:</u> Two elected in 2023; two elected in 2025	Nonpartisan plurality
Village of Whispering Pines	Mayor (selected from the Council Members) Council Members (5 members)	<u>Council Members:</u> four years, staggered	<u>Council Members:</u> Two elected in 2023; three elected in 2025	Nonpartisan plurality

Parts III and IV would do all of the following:

- For the City of Albemarle:
 - Require municipal elections to be conducted on a partisan basis, beginning with the 2028 election. The primary and election would be held at the same time and in the same manner as the primaries and elections for county officers.
 - Modify how vacancies in elective office would be filled. If the vacating official was elected as the nominee of a political party, then the City Council must appoint the individual recommended by the county executive committee of the political party of the vacating official, provided that (1) the recommendation is made within 30 days of the occurrence of the vacancy and (2) the executive committee restricts voting to committee members who reside within the corporate limits of the City of Albemarle for the at-large seats or to committee members who reside within the respective electoral district for the district seats.
- For every municipality in Moore County, require municipal elections to be held in even-numbered years and conducted on a partisan basis, beginning with the 2028 election. To implement this change, there would be no municipal elections for any of these municipalities in 2027, and the current terms of officers would be extended by one year. Municipal elections would begin again in 2028, with the same staggering of terms, if officers serve staggered terms. The primary and election would be held at the same time and in the same manner as the primaries and elections for county officers.
- For the City of Albemarle and every municipality in Moore County, establish a petition process for any qualified voter who is not affiliated with a party or who does not wish to be the party nominee of their political party to be able to have his or her name printed on the ballot as an unaffiliated candidate for municipal office in the respective municipality.

The petition requirements would be required to comply with Article 11 of Chapter 163 of the General Statutes, except that the individual would be required to file a written petition with the chair or director of the county board of elections on or before 12:00 noon on the day of the primary election. The petition would be required to be signed by a number of qualified voters of the municipality equal to at least one and a half percent (1.5%) of the whole number of voters qualified

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to vote in the municipal election according to the voter registration records of the State Board of Elections as of January 1 of the year in which the general municipal election is held.

Part V – Moore County Board of Education:

The Moore County Board of Education (Board) consists of seven members, elected from single-member residency districts. Each candidate to the Board must reside in the district in which he or she seeks to serve, but the seat is voted on by the qualified voters of the entire county. Board members are elected in even-numbered years at the time of the general election to serve staggered four-year terms. Elections are conducted using the nonpartisan primary and election method.

Vacancies are filled by the remaining members of the Board. If the vacancy occurs during the first two years of the term, the appointee serves until the next election of the Board members, at which time the remaining unexpired term will be filled by election. If the vacancy occurs during the last two years of the term, the appointee serves for the remainder of the unexpired term.

Part V would provide that members of the Moore County Board of Education would be elected on a partisan basis, beginning with the 2028 election, and any vacancy occurring on the Board would be filled by the remaining members of the Board in accordance with G.S. 115C-37.1. This statute requires the remaining members of the Board to consult with the county executive committee of the relevant political party before filling a vacancy and to appoint that executive committee's nominee, if the recommendation is made within 30 days of the occurrence of the vacancy.

Part VI – Moore County School Board Police:

S.L. 2010-64 allowed the Moore County Board of Education to establish an independent campus law enforcement agency and employ campus police officers who meet the requirements of the North Carolina Criminal Justice Education and Training Standards (Chapter 17C of the General Statutes) and who took the oath of office prescribed by the State Constitution.

The territorial jurisdiction of a campus police officer includes all property owned or leased to the Moore County Board of Education and the portion of any public road or highway passing through the property or immediately adjoining it.

Effective July 1, 2026, **Part VI** would repeal the authority of the Moore County Board of Education to establish an independent campus law enforcement agency.

Part VII – Albemarle District Jail Commission:

The Albemarle District Jail Commission is the administrative authority of the Albemarle District Jail facility in Elizabeth City and adopts rules and regulations for the operation of the jail facility. The jail commission is tasked with employing personnel to carry out its work, disbursing funds received, and entering into contracts for the construction and operation of the jail facility when authorized by the governing bodies of Camden County, Pasquotank County, and Perquimans County.

The jail commission is composed of representatives from Camden County, Pasquotank County, and Perquimans County, appointed by each respective county's board of commissioners, and consists of one member from Camden County, two members from Pasquotank County, and one member from Perquimans County. Members serve two-year terms. Vacancies are filled by appointment of the county board of commissioners which made the original appointment for the vacating member.

Effective July 1, 2026, **Part VII** would add Chowan County as a participating unit for the Albemarle District Jail Commission, expanding the Albemarle District Jail Commission to include one member from Chowan County, appointed by the Chowan County Board of Commissioners.

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Part VIII – Claremont Building Height Limitations:

Effective when it becomes law, **Part VIII** would limit the height of buildings in the City of Claremont to 125 feet. No variances would be allowed. The height limitation would not apply to any of the following: buildings erected prior to July 1, 2026, government buildings, hospitals, churches, cultural performing arts centers, spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, and other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Part IX – Harnett County Jetport:

G.S. 160D-904 authorizes any local government to enact and enforce airport zoning regulations. G.S. 160D-601(d) prohibits, without the written consent of all affected property owners, local government initiated rezonings or text amendments that (i) decrease the permitted density of development, (ii) reduce the range or permitted uses of the property, or (iii) create any type of nonconformity on land not in a residential zoning district, including a nonconforming use, nonconforming lot, nonconforming structure, nonconforming improvement, or nonconforming site element.

Effective when it becomes law, **Part IX** would exempt the Harnett County airport zoning regulations from the prohibition against down-zoning.