

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE DRH10647-LB-214 (03/03)

Short Title: Yadkin Commission Recall.

(Local)

Sponsors: Representative McCormick.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW RECALL OF THE BOARD OF COMMISSIONERS OF YADKIN COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. A member of the board of commissioners of a county may be recalled as provided in this act.

SECTION 2. Any registered voter of the county may file an affidavit with the county director of elections containing the name of the elected official whose removal is sought and a general statement of the grounds alleged for removal. The director of elections shall provide the registered voter filing the affidavit with petition forms for demanding the removal of a member of the county board of commissioners. The petition forms shall:

- (1) Be signed by the director of elections.
- (2) Be dated on the date of issuance.
- (3) Be addressed to the county board of elections.
- (4) Contain the name of the person to whom the form is issued.
- (5) Contain the name of the official whose removal is sought.
- (6) Contain a general statement of the grounds on which the removal is sought.
- (7) Provide a place for signatures.

The director of elections shall promptly deliver a copy of the petition issued by the director of elections to the clerk to the board of commissioners, who shall enter the copy of the petition in a record book kept for that purpose. The record book shall be maintained by the clerk.

SECTION 3. To be effective, a recall petition must be returned to the board of elections within 30 days after the filing of the affidavit. To be sufficient, a recall petition must bear the signatures of at least as many registered voters of the county as the number of votes cast for the candidate subject to recall in the previous general election.

SECTION 4. The signatures to the petition need not all be appended to one paper. Each signer shall add his or her name, signature, and the signer's place of residence, giving the residence address including county. One of the witnesses to each signature shall take an oath before an officer competent to administer oaths that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

SECTION 5. The board of elections shall investigate the sufficiency of any petition and certify the results of the investigation to the board of commissioners. The board of elections may employ persons as it deems necessary to undertake that investigation. The board of elections may adopt rules concerning the validation of signatures appearing on the recall petition.



1 shall serve for the remainder of the terms of the officers recalled. The members of the board of
2 commissioners who have not been recalled shall call that special election, which shall be
3 conducted by the county board of elections under the laws then governing elections in the State.
4 If the recall of all the members of the board of commissioners is effected at a single election,
5 they shall continue in office for the purpose, and only for the purpose, of calling a special
6 election for the election of their successors as provided in this section. That election shall also
7 be conducted by the county board of elections under the laws then governing elections in the
8 State.

9 **SECTION 15.** This act expires December 6, 2010.

10 **SECTION 16.** This act applies to Yadkin County only.

11 **SECTION 17.** This act is effective when it becomes law.