

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 352
HOUSE BILL 563

AN ACT TO MAKE CHANGES IN STATUTES CONCERNING PRECINCT AND
TOWNSHIP BOUNDARIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-19(c) reads as rewritten:

"(c) ~~Township~~The county manager or, where there is no county manager, the chairman of the board of commissioners, shall report township boundaries and changes in those boundaries shall be reported to the United States Bureau of the Census in the Boundary and Annexations Survey. In responding to the surveys, each county manager or, if there is no manager, chairman of the board of commissioners shall consult with the county board of elections and other appropriate local agencies as to the location of township boundaries. boundaries, so that the Census Bureau's mapping of township boundaries does not disagree with any county voting precinct boundaries that may be based on township boundaries."

Sec. 2. G.S. 163-132.2 reads as rewritten:

"§ 163-132.2. Precinct boundaries for other counties.

(a) The Legislative Services Office shall send as directed by the schedule contained in subsection (g) of this section the relevant copies of the United States Census Bureau's official census block maps of the 1990 United States Census to each county board of elections. ~~Not later than 90 days after receiving copies of those maps,~~
~~the~~The county board of elections shall:

- (1) Alter, where necessary, precinct boundaries to be coterminous with those of:
 - a. Townships, as certified by the county manager, or the chairman of the board of county commissioners if there is not a county manager, on the official map of the county;
 - b. The census blocks established under the latest United States Census;
 - c. ~~Named roads and streets and drainage features of 40 feet or more in width,~~The following visible physical features, readily distinguishable upon the ground:
 1. Roads or streets;
 2. Water features or drainage features;
 3. Ridgelines;
 4. Ravines;
 5. Jeep trails;

6. Rail features; or

7. Above-ground power lines

as certified by the North Carolina Department of Transportation on its highway maps or the planning department of the relevant ~~county;~~ county on official county maps.

d. Municipalities, as certified by the city clerk on the official map of the city; or

e. A combination of these boundaries;

Provided that if, as a result of the alteration, the polling place is no longer in the precinct, it may continue to be the polling place as long as the lot or tract on which the polling place is situated adjoins the precinct;

(1a) Alter, where necessary, precinct boundaries so that each precinct is composed solely of contiguous territory;

(2) Mark all precinct boundaries on the maps sent by the Legislative Services Office, showing the precinct boundaries in effect as of the time of marking, but with any changes effective at a later time as provided by subsection (d) of this section; and

(3) ~~File~~ File, at a time deemed necessary by the Executive Secretary-Director of the State Board of ~~Elections~~ Elections, with the State Board and the Legislative Services Office the maps identifying the precinct boundaries. The Executive Secretary-Director may require a county board of elections to file a written description of the boundaries of any precinct or part thereof.

(b) The Executive Secretary-Director of the State Board of Elections and the Legislative Services Office shall examine the returned maps and their written descriptions. After its examination of the maps and their written descriptions, the Legislative Services Office shall submit to the Executive Secretary-Director of the State Board of Elections its opinion as to whether the county board of elections has complied with the provisions of subsection (a) of this section, with notations as to where those boundaries do not comply with these standards. If the Executive Secretary-Director of the State Board determines that the county board of elections has complied with the provisions of subsection (a) of this section, the Executive Secretary-Director of the State Board shall approve the maps and written descriptions as filed and these precincts shall be the official precincts.

(c) If the Executive Secretary-Director of the State Board determines that the county board of elections has not complied with the provisions of subsection (a) of this section, he shall not approve those precinct boundaries but shall alter the precinct boundaries so that each precinct consists solely of contiguous territory and that each precinct's boundaries are coterminous with those boundaries set forth in subsection (a)(1) of this section nearest to those existing precinct boundaries. These altered precincts shall then be the official precincts.

(d) The changes in precinct boundaries under subsections (b) and (c) of this section shall be made effective not later than January 1, 1997; unless the change would

result in placing a precinct in more than one State House of Representatives, State Senate, or Congressional district, in which case it shall be made effective not later than January 1, 2002.

(e), (f) Repealed by Session Laws 1991 (Regular Session, 1992), c. 927, s. 1, effective July 1, 1992.

(g) The Legislative Services Office shall send maps, under subsection (a) of this section, to the counties named below by the dates indicated:

- (1) Maps to be sent not later than January 1, 1993, to the following counties: Alexander, Alleghany, Anson, Ashe, Avery, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Currituck, Cherokee, Clay, Franklin, Gates, and Hoke;
- (2) Maps to be sent not later than January 1, 1994, to the following counties: Columbus, Dare, Davie, Graham, Greene, Haywood, Hertford, Hyde, Jackson, Lee, Lincoln, Madison, Martin, Mitchell, Montgomery, Northampton, and Pasquotank; and
- (3) Maps to be sent not later than January 1, 1995, to the following counties: Macon, McDowell, Moore, Pamlico, Perquimans, Person, Polk, Rutherford, Stanly, Stokes, Swain, Transylvania, Tyrrell, Vance, Warren, Watauga, and Yadkin.

(h) This section shall apply only to the following counties: Alexander, Alleghany, Anson, Ashe, Avery, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Cherokee, Clay, Columbus, Currituck, Dare, Davie, Franklin, Gates, Graham, Greene, Haywood, Hertford, Hoke, Hyde, Jackson, Lee, Lincoln, Macon, Madison, Martin, McDowell, Mitchell, Montgomery, Moore, Northampton, Pamlico, Pasquotank, Perquimans, Person, Polk, Rutherford, Stanly, Stokes, Swain, Transylvania, Tyrrell, Vance, Warren, Watauga, and Yadkin."

Sec. 3. G.S. 163-132.3(a) reads as rewritten:

"(a) No county board of elections of a county listed in G.S. 163-132.1A(b), after January 1, 1990, and no county board of elections of a county listed in G.S. 163-132.2(h), after its precinct boundaries are approved pursuant to G.S. 163-132.2, may change any precinct boundary unless the proposed new precinct consists solely of contiguous territory and its new boundaries are coterminous with those of:

- (1) Townships, as certified by the county manager, or the chairman of the board of county commissioners if there is not a county manager, on the official map of the county;
- (2) The census blocks established under the latest U.S. Census;
- (3) ~~Named roads and streets and drainage features of 40 feet or more in width.~~ The following visible physical features, readily distinguishable upon the ground:
 - a. Roads or streets;
 - b. Water features or drainage features;
 - c. Ridgelines;
 - d. Ravines;
 - e. Jeep trails;

- f. Rail features; or
- g. Above-ground power lines

as certified by the North Carolina Department of Transportation on its highway maps or the planning department of the relevant ~~county~~; county on official county maps.

- (4) Municipalities, as certified by the city clerk on the official map of the city; or
- (5) A combination of these boundaries.

The county boards of elections shall report precinct boundary changes by filing with the Legislative Services Office on current official census maps or maps certified by the North Carolina Department of Transportation or the county's planning department the new boundaries of these precincts. The Executive Secretary-Director may require a county board of elections to file a written description of the boundaries of any precinct or part thereof. No newly created or altered precinct boundary is effective until approved by the Executive Secretary-Director of the State Board as being in compliance with this subsection."

Sec. 4. Notwithstanding any deadline set by G.S. 163-132.2, this act validates any resolution of a county board of elections revising precinct lines that the Executive Secretary-Director of the State Board of Elections determines meets the boundary requirements set out in G.S. 163-132.2, if the county is one of those listed in G.S. 163-132.2(g)(1) and the county board of elections has passed that resolution and the Executive Secretary-Director has approved it before January 1, 1994. If the office of Executive Secretary-Director is not filled, the requirement of approval in this section will be met if the county's resolution is approved by an official designated by the State Board of Elections as either Executive Secretary of the State Board of Elections or as Acting Director of Elections.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 15th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives