

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

3

HOUSE BILL 277
Committee Substitute Favorable 3/27/97
Third Edition Engrossed 4/7/97

Short Title: Limit Relatives on Election Bds.

(Public)

Sponsors:

Referred to:

February 19, 1997

1 A BILL TO BE ENTITLED
2 AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR
3 NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF
4 ELECTIONS.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 163-30 reads as rewritten:

7 "**§ 163-30. County boards of elections; appointments; terms of office; qualifications;**
8 **vacancies; oath of office; instructional meetings.**

9 In every county of the State there shall be a county board of elections, to consist of
10 three persons of good moral character who are registered voters in the county in which
11 they are to act. Members of county boards of elections shall be appointed by the State
12 Board of Elections on the last Tuesday in June 1985, and every two years thereafter, and
13 their terms of office shall continue for two years from the specified date of appointment
14 and until their successors are appointed and qualified. Not more than two members of the
15 county board of elections shall belong to the same political party.

16 No person shall be eligible to serve as a member of a county board of elections who
17 holds any elective office under the government of the United States, or of the State of
18 North Carolina or any political subdivision thereof.

1 No person who holds any office in a state, congressional district, county or precinct
2 political party or organization, or who is a campaign manager or treasurer of any
3 candidate or political party in a primary or election, shall be eligible to serve as a member
4 of a county board of elections, provided however that the position of delegate to a
5 political party convention shall not be considered an office for the purpose of this section.

6 No person shall be eligible to serve as a member of a county board of elections who is
7 a candidate for nomination or election.

8 No person shall be eligible to serve as a member of a county board of elections who is
9 the wife, husband, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law,
10 father, father-in-law, sister, sister-in-law, ~~or brother~~ brother-in-law, aunt, uncle,
11 niece, or nephew of any candidate for nomination or election. Upon any member of the
12 board of elections becoming ineligible, that member's seat shall become vacant. This
13 paragraph only applies if the county board of elections is conducting the election for
14 which the relative is a candidate.

15 The State chairman of each political party shall have the right to recommend to the
16 State Board of Elections three registered voters in each county for appointment to the
17 board of elections for that county. If such recommendations are received by the Board 15
18 or more days before the last Tuesday in June 1985, and each two years thereafter, it shall
19 be the duty of the State Board of Elections to appoint the county boards from the names
20 thus recommended.

21 Whenever a vacancy occurs in the membership of a county board of elections for any
22 cause the State chairman of the political party of the vacating member shall have the right
23 to recommend two registered voters of the affected county for such office, and it shall be
24 the duty of the State Board of Elections to fill the vacancy from the names thus
25 recommended.

26 At the meeting of the county board of elections required by G.S. 163-31 to be held on
27 Tuesday following the third Monday in July in the year of their appointment the members
28 shall take the following oath of office:

29 'I,, do solemnly swear (or affirm) that I will support the Constitution of the
30 United States; that I will be faithful and bear true allegiance to the State of North
31 Carolina and to the constitutional powers and authorities which are or may be
32 established for the government thereof; that I will endeavor to support, maintain
33 and defend the Constitution of said State, not inconsistent with the Constitution of
34 the United States; and that I will well and truly execute the duties of the office of
35 member of the County Board of Elections to the best of my knowledge and
36 ability, according to law; so help me God.'

37 Each member of the county board of elections shall attend each instructional meeting
38 held pursuant to G.S. 163-46, unless excused for good cause by the chairman of the
39 board, and shall be paid the sum of twenty-five dollars (\$25.00) per day for attending
40 each of those meetings."

41 Section 2. This act is effective when it becomes law and applies to
42 appointments to county boards of elections for terms commencing on or after June 24,
43 1997.