

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 277

Committee Substitute Favorable 3/27/97

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Senate State Government, Local Government, and Personnel Committee Substitute
Adopted 5/29/97

Short Title: Limit Relatives on Election Bds.

(Public)

Sponsors:

Referred to:

February 19, 1997

A BILL TO BE ENTITLED

AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR
NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF
ELECTIONS.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

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

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

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

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

1 Section 2. This act is effective when it becomes law and applies to
2 appointments to county boards of elections for terms commencing on or after June 24,
3 1997.