

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2009-107
HOUSE BILL 43**

AN ACT MAKING IT UNLAWFUL FOR A SCHOOL BOARD MEMBER TO
WILLFULLY FAIL TO DISCHARGE THE DUTIES OF THE OFFICE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-230 reads as rewritten:

"§ 14-230. Willfully failing to discharge duties.

If any clerk of any court of record, sheriff, magistrate, school board member, county commissioner, county surveyor, coroner, treasurer, or official of any of the State institutions, or of any county, city or town, shall willfully omit, neglect or refuse to discharge any of the duties of his office, for default whereof it is not elsewhere provided that he shall be indicted, he shall be guilty of a Class 1 misdemeanor. If it shall be proved that such officer, after his qualification, willfully and corruptly omitted, neglected or refused to discharge any of the duties of his office, or willfully and corruptly violated his oath of office according to the true intent and meaning thereof, such officer shall be guilty of misbehavior in office, and shall be punished by removal therefrom under the sentence of the court as a part of the punishment for the offense."

SECTION 2. This act becomes effective December 1, 2009.

In the General Assembly read three times and ratified this the 4th day of June, 2009.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 4:36 p.m. this 15th day of June, 2009

