

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 661

Short Title: City Managers on School Boards. (Public)

Sponsors: Representative R. Warren.

Referred to: Education, if favorable, Judiciary III.

March 19, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW CITY MANAGERS IN CERTAIN SMALLER MUNICIPALITIES TO
3 SERVE AS MEMBERS OF BOARDS OF EDUCATION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 160A-147 reads as rewritten:

6 "**§ 160A-147. Appointment of city manager; dual office holding.**

7 (a) In cities whose charters provide for the council-manager form of government, the
8 council shall appoint a city manager to serve at its pleasure. The manager shall be appointed
9 solely on the basis of the manager's executive and administrative qualifications. The manager
10 need not be a resident of the city or State at the time of appointment. The office of city manager
11 is hereby declared to be an office that may be held concurrently with other appointive (but not
12 elective) offices pursuant to Article VI, Sec. 9, of the Constitution.

13 (b) Notwithstanding the provisions of subsection (a), a city manager may serve on a
14 county board of education that is elected on a non-partisan basis if the following criteria are
15 met:

- 16 (1) The population of the city by which the city manager is employed does not
17 exceed 10,000;
18 (2) The city is located in two counties; and
19 (3) The population of the county in which the city manager resides does not
20 exceed 40,000.

21 (b1) Notwithstanding the provisions of subsection (a) of this section, a city manager may
22 serve on a city or county board of education that is elected on a nonpartisan basis if the
23 population of the city by which the city manager is employed does not exceed 3,000.

24 (c) Notwithstanding the provisions of subsection (a), a city manager may hold elective
25 office if the following criteria are met:

- 26 (1) The population of the city by which the city manager is employed does not
27 exceed 3,000.
28 (2) The city manager is an elected official of a city other than the city by which
29 the city manager is employed.

30 (d) For the purposes of this section, population figures shall be according to the latest
31 United States decennial figures issued at the time the second office is assumed. If census
32 figures issued after the second office is assumed increase the city or county population beyond
33 the limits of this section, the city manager may complete the term of elected office that the city
34 manager is then serving."

35 **SECTION 2.** This act is effective when it becomes law.

