

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 19

Short Title: Selection of Chair & Vice-Chair/County BOCs. (Public)

Sponsors: Representative Davis.

Referred to: Elections and Ethics Law

January 26, 2017

A BILL TO BE ENTITLED

AN ACT AMENDING THE LAWS REGARDING WHEN A COUNTY BOARD OF COMMISSIONERS IS REQUIRED TO SELECT A CHAIR AND VICE-CHAIR OF THE BOARD TO ACCOUNT FOR A SELECTION DELAY DUE TO THE FILING OF AN ELECTION PROTEST.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-39 reads as rewritten:

"§ 153A-39. **Selection of chairman and vice-chairman; powers and duties.**

On:

- (1) The first Monday in December of each even-numbered ~~year; and year,~~
- (2) Its first regular meeting in December of each odd-numbered year, or
- (3) If an election protest has been filed pursuant to G.S. 163-182.9, certification of election and swearing into office,

the board of commissioners shall choose one of its members as chairman for the ensuing year, unless the chairman is elected as such by the people or otherwise designated by law. The board shall also at that time choose a vice-chairman to act in the absence or disability of the chairman. If the chairman and the vice-chairman are both absent from a meeting of the board, the members present may choose a temporary chairman.

The chairman is the presiding officer of the board of commissioners. Unless excused by rule of the board, the presiding officer has the duty to vote on any question before the board, but he has no right to break a tie vote in which he participated."

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

