

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 277

Short Title: Limit Relatives on Election Bds.

(Public)

Sponsors: Representatives Buchanan; Aldridge, Thompson, and Rayfield.

Referred to: Election Law and Campaign Reform.

February 19, 1997

A BILL TO BE ENTITLED

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

19 No person who holds any office in a state, congressional district, county or precinct
20 political party or organization, or who is a campaign manager or treasurer of any

1 candidate or political party in a primary or election, shall be eligible to serve as a member
2 of a county board of elections, provided however that the position of delegate to a
3 political party convention shall not be considered an office for the purpose of this section.

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

6 No person shall be eligible to serve as a member of a county board of elections who is
7 the wife, husband, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law,
8 father, father-in-law, sister, sister-in-law, ~~or brother~~ brother, brother-in-law, aunt, uncle,
9 niece, or nephew of any candidate for nomination or election.

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

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

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

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

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

36 Section 2. This act is effective when it becomes law and applies to
37 appointments to county boards of elections for terms commencing on or after June 24,
38 1997.