

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 156
SENATE BILL 254

AN ACT TO AMEND CHAPTER 115 TO CLARIFY AND CONFORM THOSE
PROVISIONS RELATING TO ELECTIONS TO THE GENERAL ELECTION LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115-109 is amended by deleting "Article 9 of Chapter 153" and inserting in lieu thereof the words "Article 4 of Chapter 159" and is further amended by deleting in both places the words "County Finance Act", and inserting in lieu thereof "Local Government Bond Act".

Sec. 2. G.S. 115-122 is amended as follows:

(1) Rewrite the first paragraph to read:

"All elections under this Chapter shall be held and conducted by the appropriate county or municipal board of elections";

(2) Delete the third and fourth paragraphs and insert the following in lieu thereof:

"The notice of the election shall be given as provided in G.S. 163-33(8) and in addition include a legal description of the area within which the election is to be held, and, if any additional tax is proposed to be levied, the maximum rate of tax to be levied which shall not exceed the maximum prescribed by this Article, and the purpose of the tax.";

(3) By rewriting the fifth paragraph to read:

"No new registration of voters is required, but the board of elections, in its discretion, may use either Method A or Method B set forth in G.S. 163-288.2 in activating the voters in the territory.";

(4) By rewriting paragraph 6 to read:

"The ballot in such election shall contain the words 'FOR local tax and AGAINST local tax' except when the election is held under subsection (c) of G.S. 115-116, in which case the ballots shall contain the words 'FOR enlargement of the _____ City Administrative Unit and school tax of the same rate', and 'AGAINST enlargement of the _____ City Administrative Unit and school tax of the same rate'."; and

(5) Rewrite paragraphs 7 and 8 to read:

"The elections shall be held in accordance with the applicable provisions of Chapter 163 and the expense of the election shall be paid by the board of education of the administrative unit in which the election is held, provided that when territory is proposed to be added to a city administrative unit, that unit shall bear the expense.

No election held under this Article shall be open to question except in an action or proceeding commenced within 30 days after the board of elections has certified the results."

Sec. 3. G.S. 115-123 is amended as follows:

(1) By rewriting the third sentence in the second paragraph to read:

"In proposed districts, the petition must be signed by fifteen percent (15%) of the registered voters who reside in the area."; and

(2) By deleting from the third line of the third paragraph the word "and" after the word "call" and insert in lieu thereof the words "upon the county board of elections to".

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 31st day of March, 1981.