

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2323

Short Title: Divide Eighth Prosecutorial District.

(Public)

Sponsors: Representatives Lilley; and Jones.

Referred to: Judiciary.

June 6, 1990

A BILL TO BE ENTITLED

AN ACT TO DIVIDE THE EIGHTH PROSECUTORIAL DISTRICT.

The General Assembly of North Carolina enacts:

Section 1. Effective January 1, 1991, G.S. 7A-60 reads as rewritten:

"§ 7A-60. District attorneys and prosecutorial districts.

(a) The State shall be divided into prosecutorial districts, as shown in subsection (a1) of this section. There shall be a district attorney for each prosecutorial district, as provided in subsections (b) and (c) of this section who shall be a resident of the prosecutorial district for which elected. A vacancy in the office of district attorney shall be filled as provided in Article IV, Sec. 19 of the Constitution.

(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

No. of Full-Time

Judicial District	Asst. District Counties	Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	6
2	Beaufort, Hyde, Martin, Tyrrell, Washington	4
3A	Pitt	5
3B	Carteret, Craven, Pamlico	5
4	Duplin, Jones, Onslow,	9

1		Sampson	
2	5	New Hanover, Pender	8
3	6A	Halifax	2
4	6B	Bertie, Hertford, Northampton	2
5	7	Edgecombe, Nash, Wilson	8
6	8	Greene, Lenoir, Wayne	8
7	<u>8A</u>	<u>Greene, Lenoir</u>	<u>2</u>
8	<u>8B</u>	<u>Wayne</u>	<u>6</u>
9	9	Franklin, Granville,	7
10		Person, Vance, Warren	
11	10	Wake	16
12	11	Harnett, Johnston, Lee	7
13	12	Cumberland	11
14	13	Bladen, Brunswick, Columbus	6
15	14	Durham	9
16	15A	Alamance	4
17	15B	Orange, Chatham	4
18	16A	Scotland, Hoke	2
19	16B	Robeson	7
20	17A	Caswell,	4
21		Rockingham	
22	17B	Stokes, Surry	4
23	18	Guilford	15
24	19A	Cabarrus, Rowan	6
25	19B	Montgomery, Randolph	4
26	20	Anson, Moore, Richmond,	9
27		Stanly, Union	
28	21	Forsyth	11
29	22	Alexander, Davidson, Davie,	8
30		Iredell	
31	23	Alleghany, Ashe, Wilkes,	4
32		Yadkin	
33	24	Avery, Madison, Mitchell,	3
34		Watauga, Yancey	
35	25	Burke, Caldwell, Catawba	9
36	26	Mecklenburg	20
37	27A	Gaston	7
38	27B	Cleveland,	5
39		Lincoln	
40	28	Buncombe	6
41	29	Henderson, McDowell, Polk,	6
42		Rutherford, Transylvania	
43	30	Cherokee, Clay, Graham,	6
44		Haywood, Jackson, Macon,	

1 Swain.

2 (b) Except as provided in subsection (c) of this section, each district attorney for
3 a prosecutorial district as defined in subsection (a1) of this section, other than District
4 19B, who is in office on December 31, 1988, shall continue in office for that
5 prosecutorial district, for a term expiring December 31, 1990. In the general election of
6 1990, and every four years thereafter, a district attorney shall be elected for a four-year
7 term for each prosecutorial district other than Districts 16A and 19B, and shall take
8 office on the January 1 following such election. The district attorney for Prosecutorial
9 District 19B, who is elected in the general election of 1988 for a four-year term
10 beginning January 1, 1989, shall serve that term for Prosecutorial District 19B. In the
11 general election of 1992, and every four years thereafter, a district attorney shall be
12 elected for a four-year term for Prosecutorial Districts 16A and 19B and shall take
13 office on the January 1 following such election.

14 (c) The office and term of the district attorney for Prosecutorial District 12
15 formerly consisting of Cumberland and Hoke Counties are allocated to Prosecutorial
16 District 12 as defined by subsection (a1) of this section. The office and the term of the
17 district attorney for former Prosecutorial District 16 consisting of Robeson and Scotland
18 Counties are allocated to Prosecutorial District 16B as defined by subsection (a1) of this
19 section. The initial district attorney for Prosecutorial District 16A as defined in
20 subsection (a1) of this section shall be elected in the general election of November
21 1988, from nominations made in accordance with G.S. 163-114 as if a vacancy had
22 occurred in nomination, and shall serve an initial term expiring December 31, 1992.
23 Effective January 1, 1991, the office and the term of the district attorney for former
24 Prosecutorial District 8 are allocated to Prosecutorial District 8B as defined by
25 subsection (a1) of this section. The initial district attorney for Prosecutorial District 8A
26 as defined in subsection (a1) of this section shall be elected in the general election of
27 November 1990, from nominations made in accordance with G.S. 163-114 as if a
28 vacancy had occurred in nomination, and shall serve an initial term beginning January
29 1, 1991, and expiring December 31, 1994. In all other respects, subsection (b) of this
30 section shall apply to the district attorneys for Prosecutorial Districts 12, 16A, and 16B
31 to the same extent as all other district attorneys."

32 Sec. 2. There is appropriated from the General Fund to the Administrative
33 Office of the Courts for fiscal year 1990-91 the sum of \$95,057 to implement this act.

34 Sec. 3. Section 1 of this act shall become effective January 1, 1991, except
35 that the revision of G.S. 7A-60(c) is effective upon ratification. Section 2 of this act
36 shall become effective July 1, 1990.