



HOUSE BILL 190: Vacancies/Rowland & Mayor's Term/Red Springs.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	March 23, 2021
Introduced by:	Rep. B. Jones	Prepared by:	Billy R. Godwin
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 190 would do the following:*

- *Provide that vacancies for town officers in the Town of Rowland are to be filled by appointment of the Board of Commissioners in accordance with the general law for municipalities.*
- *Extend the term of mayor in the Town of Red Springs from two years to four years, beginning with the municipal election held in 2021.*

[As introduced, this bill was identical to S125, as introduced by Sen. Britt.]

Section 1 – Town of Rowland:

CURRENT LAW: The governing body of the Town of Rowland consist of a mayor and four members of the Board of Commissioners. Elections are conducted on a nonpartisan basis, and the results are determined by a plurality. The four commissioners serve staggered four-year terms and are elected by the town at-large. The mayor serves for a two-year term.

Vacancies in the office of mayor or commissioner occurring after the opening date for filing notices of candidacy in the year in which the term is to expire are filled by the Board of Commissioners under G.S. 160A-63. Otherwise, a special election is held to fill the vacancy. Candidates in a special election must file their notices of candidacy no earlier than noon on the tenth Friday and no later than noon on the seventh Friday before the special election.

BILL ANALYSIS: Section 1 of the bill would amend the charter of the Town of Rowland to provide that any vacancy in the office of mayor or board of commissioner would be filled by appointment of the Board of Commissioners as provided in G.S. 160A-63, rather than through a special election.

Under the provisions of G.S. 160A-63, vacancies are filled by the governing board as follows:

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Director



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<i>Expiration of Vacated Term:</i>	<i>Term of Appointee:</i>
Term of office of vacating member expires immediately following the next regular municipal election.	Appointee serves remainder of unexpired term.
Term of office of vacating member expires within 90 days of the next regular municipal election.	Appointee serves remainder of unexpired term.
If neither of the above apply, and the term of office of vacating member expires more than 90 days from the next regular municipal election.	Appointee serves until the elected successor takes office.

EFFECTIVE DATE: Effective when it becomes law and applies to vacancies occurring on or after that date.

Section 2 – Town of Red Springs:

CURRENT LAW: Officers for the Town of Red Springs consist of a mayor and six Board of Commissioners. Elections are conducted on a nonpartisan basis, and the results are determined by a plurality. The six commissioners serve staggered four-year terms and are elected by the town at-large. The mayor serves for a two-year term.

BILL ANALYSIS: Section 2 of the bill would amend the charter of the Town of Red Springs to provide that the mayor is elected for a four-year term, beginning with the municipal election held in 2021.

EFFECTIVE DATE: Effective when it becomes law.

**Staff Attorneys Jessica Sammons & Sarah Pilon substantially contributed to this summary.*