



SENATE BILL 379: Allow Changes/Resident Districts/Johnston Co.

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	March 29, 2023
Introduced by:	Sen. Sawrey	Prepared by:	Erika Churchill and Hillary Woodard, Staff Attorneys
Analysis of:	First Edition		

OVERVIEW: *Senate Bill 379 would allow the Johnston County Board of Commissioners to redistrict existing residency districts, beginning with the 2024 elections.*

CURRENT LAW: Part 4 of Article 4 of Chapter 153A of the General Statutes sets forth the optional structures for forms of government for boards of county commissioners.

With respect to methods of election, the options are:

- At-large, with all the qualified voters of the entire county nominating all candidates and electing all members of the board.
- Pure election districts, with the qualified voters of each district nominating candidates and electing members who reside in the district for seats apportioned to that district.
- Residency districts, with all the qualified voters of the entire county nominating all candidates and electing all members of the board, but members must reside in and represent the districts according to the apportionment plan adopted.
- Combination of the above.

For pure election districts, G.S. 153A-22 provides that counties opting for this method of election review the electoral districts for inequalities in the population of the election districts upon the return of each federal decennial census. If population inequalities are found, the board of commissioners adopts a resolution to redefine the election districts. If the date of the adoption of the resolution is more than 150 days before the day of the next primary, the redefined election districts apply to that election, but does not affect the unexpired term of office of a commissioner currently serving.

For residency districts, there is no corresponding statewide statute for review of the residency districts upon the return of a federal decennial census. Local acts have authorized a process similar to that for pure election districts for review of residency districts in Chatham (S.L. 1995-80), Henderson (S.L. 1998-175), Moore (S.L. 1995-215, as amended by S.L. 2015-244), and Wake Counties (S.L. 2011-126).

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BILL ANALYSIS: Senate Bill 379 would add Johnston County to the list of counties authorized to redefine their residency districts for the board of commissioners, in the same manner as Henderson and Wake Counties.

If enacted, the Johnston County Board of Commissioners could determine that there is a substantial inequality of population among the residency districts and redefine those districts to make them more equal by resolution. No changes would affect the unexpired term of office of a commissioner currently serving.

The resolution would become effective upon its adoption, unless it is adopted during the period beginning 150 days before a primary election and ending on the day of the next general election for membership on the board of commissioners. If this occurs, then the resolution becomes effective on the first day after the end of this period. If the Johnston County Board of Commissioners desired to redefine residency districts to be implemented in the 2024, the resolution would need to be adopted by October 7, 2023.

EFFECTIVE DATE: Effective when it becomes law and applies to elections held in 2024 or after.