

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SESSION LAW 2011-172
HOUSE BILL 450**

**AN ACT TO RESTRUCTURE THE GUILFORD COUNTY BOARD OF
COMMISSIONERS.**

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 136, Session Laws of 1991, as reenacted by Section 1 of Chapter 521, Session Laws of 1993, is repealed.

SECTION 2.(a) Effective on the first Monday of December 2012, the Board of Commissioners of Guilford County shall consist of nine members. The members shall be elected on a partisan basis at the time of the regular county primary and general elections. One member shall be elected from each of eight single-member districts established under Section 2.1 of this act. One member shall be elected at large from within the entirety of Guilford County.

SECTION 2.(b) In 2012 and quadrennially thereafter, members for Districts 1, 6, 7, and 8 shall be elected for four-year terms. In 2014 and quadrennially thereafter, members for Districts 2, 3, 4, and 5, and one at-large member shall be elected for four-year terms.

SECTION 2.(c) The qualified voters of each district shall elect the member of the board for that district. Candidates must reside in the district for which they seek to be elected.

SECTION 2.1.(a) The Board of Commissioners of Guilford County shall, within 60 days of the date this act becomes law, adopt a districting plan with eight single-member districts as provided by subsection (a) of this section. The plan shall:

- (1) Include at least three districts with a black voting age population of greater than fifty percent (50%).
- (2) Have a total deviation from the ideal that does not exceed ten percent (10%).
- (3) Minimize the dividing of precincts.
- (4) To the extent practicable respect communities of interest.
- (5) Comply with Section 5 of the Voting Rights Act of 1965 and all applicable State and federal court decisions.
- (6) Use population data from the 2010 decennial federal census.
- (7) Not consider the place of residence of incumbents except as necessary to comply with Section 5 of the Voting Rights Act of 1965.

SECTION 2.1.(b) If the plan adopted under subsection (a) of this section is not precleared or approved under Section 5 of the Voting Rights Act of 1965, the Board of Commissioners of Guilford County shall adopt a new plan that follows subdivisions (a)(1) through (a)(7) of this section. In a revised plan, the Board of Commissioners shall consider all objections raised by the United States Department of Justice or the District Court for the District of Columbia to ensure that the districts fully comply with the requirements of Section 5 of the Voting Rights Act of 1965.

SECTION 2.1.(c) No change in the boundaries of a district shall affect the unexpired term of office of a member of the Board of Commissioners.

SECTION 3. Following the return of the 2020 Census, and each Census thereafter, the Guilford County Board of Commissioners may revise the election districts.

SECTION 4.(a) Pursuant to G.S. 120-30.9E, Guilford County shall submit this act and the plan adopted under Section 2.1 of this act under Section 5 of the Voting Rights Act of 1965. Guilford County may call on the assistance of the Attorney General of North Carolina in making its submittal.

SECTION 4.(b) If Sections 1 and 2 of this act are not approved under Section 5 of the Voting Rights Act by the 10th day before candidate filing is to open in 2012 under



G.S. 163-106, then those sections shall instead become effective beginning with the election in 2014 and the election in 2012 shall be conducted under current law.

SECTION 4.(d) If the districting plan adopted under Section 2.1 of this act is not approved under Section 5 of the Voting Rights Act by the 10th day before candidate filing is to open in 2012 under G.S. 163-106, then Sections 1, 2 and 2.1 of this act shall instead become effective beginning with the election in 2014 and the election in 2012 shall be conducted under current law.

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 17th day of June, 2011.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives