

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 270
Mar 11, 2013
HOUSE PRINCIPAL CLERK

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HOUSE DRH30108-LB-70C* (02/13)

Short Title: Ronda Recall.

(Local)

Sponsors: Representative Elmore.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR A REFERENDUM IN THE TOWN OF RONDA ON THE
3 ISSUE OF WHETHER OR NOT VOTERS OF THAT TOWN SHOULD BE ABLE TO
4 RECALL FROM OFFICE THE ELECTED OFFICERS OF THAT TOWN.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Section 3 of this act becomes effective only if approved by the
7 qualified voters of the Town of Ronda in a referendum. The election shall be conducted by the
8 Wilkes County Board of Elections on November 5, 2013, the date of the next municipal
9 election in the Town of Ronda. The question on the ballot shall be:

10 "[] FOR [] AGAINST

11 Amendment of the Charter of the Town of Ronda to allow for recall from office of
12 elected officials of the town upon voter petition and a vote of the registered voters of the town."

13 SECTION 2. If a majority of the votes cast are in favor of the question, Section 3
14 of this act becomes effective as provided therein. Otherwise, Section 3 of this act does not
15 become effective.

16 SECTION 3. The Charter of the Town of Ronda, granted by the Municipal Board
17 of Control on September 27, 1920, under the then provisions of Chapter 136 of the Public Laws
18 of 1917, is amended by adding a new section to read:

19 "Sec. 1.1. Recall.

20 (a) The Mayor and members of the Board of Commissioners are subject to removal
21 pursuant to this section. An officer is removed upon the filing of a sufficient recall petition and
22 the affirmative vote of a majority of those voting on the question of removal at a recall election.

23 A recall petition shall be filed with the Town Clerk, who shall immediately forward the
24 petition to the county board of elections that conducts elections for the Town of Ronda. A
25 petition to recall the Mayor or a member of the Board of Commissioners shall bear the
26 signatures equal in number to at least fifty percent (50%) of the registered voters of the Town
27 of Ronda.

28 The county board of elections shall verify the petition signatures. If a sufficient recall
29 petition is submitted, the county board of elections shall certify its sufficiency to the governing
30 body, and the governing body shall adopt a resolution calling for a recall election to be held
31 between 60 and 120 days of the date of such certification. The county board of elections shall
32 conduct the recall election, which shall be held as provided in G.S. 163-287. Each petition
33 submitted shall contain the name of only one officer to be recalled. Multiple qualified petitions
34 may be filed simultaneously with the Town Clerk, in which case the name of the officer on
35 each petition, once certified, shall be included in the recall election. The proposition submitted
36 to the voters shall be substantially in the following form:



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"[] FOR [] AGAINST
The recall of [name of officer]."

The registered voters of the Town of Ronda are eligible to vote in an election to recall the Mayor or a member of the Board of Commissioners.

If less than a majority of the votes cast on the question are for the officer's recall, the officer continues in office. If a majority of the votes cast on the question are for the officer's recall, the officer is removed on the date the board of elections certifies the results of the election. A vacancy created by removal of a member of the Board of Commissioners or the Mayor shall be filled in accordance with the provisions of G.S. 160A-63. An officer who is removed may not be appointed or reappointed to any elective office of the town during the remainder of the unexpired term.

No petition to recall an officer may be filed during the first six months of the officer's term or during the six months before the expiration of the officer's term. No more than one election may be held to recall an officer within a single term of office of that officer.

(b) As used in this section, "Town Clerk" also includes an officer of the town exercising the function of Town Clerk."

SECTION 4. This act is effective when it becomes law.