

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 316

Short Title: Alamance ETJ Voting.

(Local)

Sponsors: Representatives Allred; K. Miller and Reynolds.

Referred to: Local and Regional Government II.

February 28, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW ALAMANCE COUNTY RESIDENTS OF THE
2 EXTRATERRITORIAL PLANNING JURISDICTION OF A CITY TO VOTE IN
3 ELECTIONS OF THAT CITY.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 163-282 reads as rewritten:

7 "**§ 163-282. Residency defined for voting in municipal elections.**

8 The rules for determining residency within a municipality shall be the same as
9 prescribed in G.S. 163-57 for determining county residency. For the purpose of
10 eligibility to vote in elections for officers of the city, any person who is a resident of an
11 area outside the corporate limits of the municipality where the city exercises
12 extraterritorial jurisdiction under Article 19 of Chapter 160A of the General Statutes
13 (whether by G.S. 160A-360 or by local act) is a resident of the city. A person whose
14 residence in the city is because of the previous sentence is eligible to vote only in
15 elections for officers of the city, and not for other types of elections. No person shall be
16 entitled to reside in more than one city or town at the same time."

17 Sec. 2. G.S. 163-288.1(a) reads as rewritten:

18 "(a) Whenever any new city or special district is incorporated or whenever an
19 existing city or district annexes any territory, or adds any territory to its extraterritorial
20 planning jurisdiction under G.S. 160A-360 or by local act, the city or special district shall

1 cause a map of the corporate or district limits, or extraterritorial area to be prepared from
2 the boundary descriptions in the act, charter or other document creating the city or district
3 or authorizing or implementing the annexation or extension of extraterritorial jurisdiction.
4 The map shall be delivered to the county or municipal board of elections conducting the
5 elections for the city or special district. The board of elections shall then activate for city
6 or district elections each voter eligible to vote in the city or district who is registered to
7 vote in the county to the extent that residence addresses shown on the county registration
8 certificates can be identified as within the limits of the city or special district, or within
9 the extraterritorial area, provided that when a voter in an area that is annexed was already
10 a voter because that area had been in the extraterritorial area, no further action is
11 required. Each voter whose registration is thus activated for city or special district
12 elections shall be so notified by mail. The cost of preparing the map of the newly
13 incorporated city or special district or of the newly annexed area, and of activating voters
14 eligible to vote therein, shall be paid by the city or special district. In lieu of the
15 procedures set forth in this section, the county board of elections may use either of the
16 methods of registration of voters set out in G.S. 163-288.2 when activating voters
17 pursuant to the incorporation of a new city or election of city officials or both under
18 authority of an act of the General Assembly or when activating voters after an annexation
19 of new territory by a city or special district under Chapter 160A, Article 4A, or other
20 general or local law.

21 No later than August 1, 1995, each city which has any extraterritorial jurisdiction
22 under Article 19 of Chapter 160A of the General Statutes shall provide a map of such
23 area to the county board of elections. Voters in such area shall be activated for city
24 elections under the procedures of this section."

25 Sec. 3. G.S. 163-288.2 is amended by adding a new subsection to read:

26 "(c) Whenever any area is added to the extraterritorial jurisdiction of a city under
27 G.S. 160A-360 or by local act, or when the county board of elections receives notice of
28 an existing extraterritorial area under G.S. 163-288.1(a), registration in the area shall be
29 conducted as provided in this section as if the area had been annexed."

30 Sec. 4. This act applies with respect to residents of Alamance County only.

31 Sec. 5. This act becomes effective with respect to elections held on and after
32 September 1, 1995.