

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 505

Short Title: Local Boards of Health.

(Public)

Sponsors: Senator Kincaid.

Referred to: Judiciary II/Election Laws

March 28, 1995

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE GROUNDS FOR REMOVAL OF A MEMBER OF A
LOCAL BOARD OF HEALTH.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-35(g) reads as rewritten:

"(g) A member may be removed from office by the county board of commissioners
~~for cause.~~ for:

(1) Commission of a felony or other crime involving moral turpitude;

(2) Violation of a State law or a written policy adopted by the county board
of commissioners governing conflict of interest;

(3) Habitual failure to attend meetings;

(4) Immoral or dishonorable personal conduct so as to discredit the
member's office; or

(5) Failure to maintain qualifications for appointment required under
subsection (a) of this section.

A board member may be removed only after the member has been given written
notice of the basis for removal and has had the opportunity to respond in person or
through counsel in a hearing before the county board of commissioners. The hearing
shall take place not less than 10 days after the board member receives the written notice
for the basis of removal."

- 1 Sec. 2. G.S. 130A-37(h) reads as rewritten:
2 "(h) A member may be removed from office by the district board of health ~~for cause.~~
3 for:
4 (1) Commission of a felony or other crime involving moral turpitude;
5 (2) Violation of a State law or a written policy adopted by the county board
6 of commissioners of each county in the district governing conflict of
7 interest;
8 (3) Habitual failure to attend meetings;
9 (4) Immoral or dishonorable personal conduct so as to discredit the
10 member's office; or
11 (5) Failure to maintain qualifications for appointment required under
12 subsection (a) of this section.
13 A board member may be removed only after the member has been given written
14 notice of the basis for removal and has had the opportunity to respond in person or
15 through counsel in a hearing before the district board of health. The hearing shall take
16 place not less than 10 days after the board member receives the written notice for the
17 basis of removal."
18 Sec. 3. This act is effective upon ratification.