

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 563

Short Title: Precinct Boundary Cleanup.

(Public)

Sponsors: Representative Fitch.

Referred to: Judiciary I.

March 25, 1993

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL CHANGES IN STATUTES CONCERNING  
PRECINCT AND TOWNSHIP BOUNDARIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-128 reads as rewritten:

**"§ 163-128. Election precincts and voting places established or altered.**

(a) Each county shall be divided into a convenient number of precincts for the purpose of voting, and there shall be at least one precinct encompassed within the territory of each township; provided, however, that upon a resolution adopted by the county board of elections and approved by the Secretary Director of the State Board of Elections voters from a given precinct within a township may be temporarily transferred, for the purpose of voting, to a precinct in an adjacent township. Any such transfers shall be for the period of time equal only to the term of office of the county board of elections making such transfer. When such a resolution has been adopted by the county board of elections to assign voters from more than one township to the same precinct, then the county board of elections shall maintain separate registration and voting records, consistent with the procedure prescribed by the State Board of Elections, so as to properly identify the township in which such voters reside. voting. Except as provided in G.S. 163-132.2(a)(1), the polling place for a precinct shall be located within the precinct.

Except as provided by Article 12A of this Chapter, the county board of elections shall have power from time to time, by resolution, to establish, alter, discontinue, or create such new election precincts or voting places as it may deem expedient. Upon adoption of a resolution establishing, altering, discontinuing, or creating a precinct or

1 voting place, the board shall give 20 days' notice thereof prior to the date on which the  
2 registration books or records next close pursuant to G.S. 163-67. Notice shall be given  
3 by advertisement in a newspaper having general circulation in the county, by posting a  
4 copy of the resolution at the courthouse door, and by mailing a copy of the resolution to  
5 the chairman of every political party in the county. Notice may additionally be made on  
6 a radio or television station or both, but such notice shall be in addition to the  
7 newspaper and other required notice.

8 (b) Each county board of elections shall prepare a map of the county on which  
9 the precinct boundaries are drawn or described, shall revise the map when boundaries  
10 are changed, and shall keep a copy of the current map on file and posted for public  
11 inspection at the office of the Board of Elections, and shall file a copy with the State  
12 Board of Elections."

13 Sec. 2. G.S. 163-132.5C reads as rewritten:

14 **"§ 163-132.5C. Local acts and township lines.**

15 (a) Notwithstanding the provisions of any local act, a county board of elections  
16 need not have the approval of any other county board or commission to make precinct  
17 boundary changes required by this Article.

18 (b) ~~Notwithstanding G.S. 163-128, precinct~~ Precinct boundaries established,  
19 ~~retained or changed under this Article, or changed to follow a district line where a~~  
20 ~~precinct has been divided in a districting plan,~~ may cross township lines."

21 Sec. 3. G.S. 153A-19(c) reads as rewritten:

22 ~~"(c) Township~~ The county manager or, where there is no county manager, the  
23 chairman of the board of commissioners, shall report township boundaries and changes  
24 in those boundaries ~~shall be reported~~ to the United States Bureau of the Census in the  
25 Boundary and Annexations Survey. In responding to the surveys, each county manager  
26 or, if there is no manager, chairman of the board of commissioners shall consult with  
27 the county board of elections and other appropriate local agencies as to the location of  
28 township boundaries."

29 Sec. 4. G.S. 163-132.2 reads as rewritten:

30 **"§ 163-132.2. Precinct boundaries for other counties.**

31 (a) The Legislative Services Office shall send as directed by the schedule  
32 contained in subsection (g) of this section the relevant copies of the United States  
33 Census Bureau's official census block maps of the 1990 United States Census to each  
34 county board of elections. Not later than 90 days after receiving copies of those maps,  
35 the county board of elections shall:

36 (1) Alter, where necessary, precinct boundaries to be coterminous with  
37 those of:

- 38 a. Townships, as certified by the county manager, or the chairman  
39 of the board of county commissioners if there is not a county  
40 manager, on the official map of the county;
- 41 b. The census blocks established under the latest United States  
42 Census;
- 43 c. Named roads and streets and drainage features of 40 feet or  
44 more in width, as certified by the North Carolina Department of

1                   Transportation on its highway maps or the planning department  
2                   of the relevant county;

3                   d.       Municipalities, as certified by the city clerk on the official map  
4                   of the city; or

5                   e.       A combination of these boundaries;

6                   Provided that if, as a result of the alteration, the polling place is no  
7                   longer in the precinct, it may continue to be the polling place as long  
8                   as the lot or tract on which the polling place is situated adjoins the  
9                   precinct;

10                  (1a)   Alter, where necessary, precinct boundaries so that each precinct is  
11                  composed solely of contiguous territory;

12                  (2)   Mark all precinct boundaries on the maps sent by the Legislative  
13                  Services Office, showing the precinct boundaries in effect as of the  
14                  time of marking, but with any changes effective at a later time as  
15                  provided by subsection (d) of this section; and

16                  (3)   File at a time deemed necessary by the Executive Secretary-Director of  
17                  the State Board of Elections with the State Board and the Legislative  
18                  Services Office the maps identifying the precinct boundaries. The  
19                  Executive Secretary-Director may require a county board of elections  
20                  to file a written description of the boundaries of any precinct or part  
21                  thereof.

22                  (b)   The Executive Secretary-Director of the State Board of Elections and the  
23                  Legislative Services Office shall examine the returned maps and their written  
24                  descriptions. After its examination of the maps and their written descriptions, the  
25                  Legislative Services Office shall submit to the Executive Secretary-Director of the State  
26                  Board of Elections its opinion as to whether the county board of elections has complied  
27                  with the provisions of subsection (a) of this section, with notations as to where those  
28                  boundaries do not comply with these standards. If the Executive Secretary-Director of  
29                  the State Board determines that the county board of elections has complied with the  
30                  provisions of subsection (a) of this section, the Executive Secretary-Director of the State  
31                  Board shall approve the maps and written descriptions as filed and these precincts shall  
32                  be the official precincts.

33                  (c)   If the Executive Secretary-Director of the State Board determines that the  
34                  county board of elections has not complied with the provisions of subsection (a) of this  
35                  section, he shall not approve those precinct boundaries but shall alter the precinct  
36                  boundaries so that each precinct consists solely of contiguous territory and that each  
37                  precinct's boundaries are coterminous with those boundaries set forth in subsection  
38                  (a)(1) of this section nearest to those existing precinct boundaries. These altered  
39                  precincts shall then be the official precincts.

40                  (d)   The changes in precinct boundaries under subsections (b) and (c) of this  
41                  section shall be made effective not later than January 1, 1997; unless the change would  
42                  result in placing a precinct in more than one State House of Representatives, State  
43                  Senate, or Congressional district, in which case it shall be made effective not later than  
44                  January 1, 2002.

1 (e), (f) Repealed by Session Laws 1991 (Regular Session, 1992), c. 927, s. 1,  
2 effective July 1, 1992.

3 (g) The Legislative Services Office shall send maps, under subsection (a) of this  
4 section, to the counties named below by the dates indicated:

5 (1) Maps to be sent not later than January 1, 1993, to the following  
6 counties: Alexander, Alleghany, Anson, Ashe, Avery, Beaufort,  
7 Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Currituck,  
8 Cherokee, Clay, Franklin, Gates, and Hoke;

9 (2) Maps to be sent not later than January 1, 1994, to the following  
10 counties: Columbus, Dare, Davie, Graham, Greene, Haywood,  
11 Hertford, Hyde, Jackson, Lee, Lincoln, Madison, Martin, Mitchell,  
12 Montgomery, Northampton, and Pasquotank; and

13 (3) Maps to be sent not later than January 1, 1995, to the following  
14 counties: Macon, McDowell, Moore, Pamlico, Perquimans, Person,  
15 Polk, Rutherford, Stanly, Stokes, Swain, Transylvania, Tyrrell, Vance,  
16 Warren, Watauga, and Yadkin.

17 (h) This section shall apply only to the following counties: Alexander,  
18 Alleghany, Anson, Ashe, Avery, Beaufort, Bertie, Bladen, Brunswick, Camden,  
19 Carteret, Caswell, Cherokee, Clay, Columbus, Currituck, Dare, Davie, Franklin, Gates,  
20 Graham, Greene, Haywood, Hertford, Hoke, Hyde, Jackson, Lee, Lincoln, Macon,  
21 Madison, Martin, McDowell, Mitchell, Montgomery, Moore, Northampton, Pamlico,  
22 Pasquotank, Perquimans, Person, Polk, Rutherford, Stanly, Stokes, Swain,  
23 Transylvania, Tyrrell, Vance, Warren, Watauga, and Yadkin."

24 Sec. 5. This act is effective upon ratification.