

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

H

1

HOUSE BILL 807

Short Title: Transfer Stanly County to District 20B. (Public)

Sponsors: Representative Burr (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Judiciary.

April 7, 2011

A BILL TO BE ENTITLED

AN ACT TO TRANSFER STANLY COUNTY TO SUPERIOR COURT DISTRICT 20B AND PROSECUTORIAL DISTRICT 20B, TO REDESIGNATE THE SET OF DISTRICT COURT DISTRICTS SERVING UNION COUNTY AS DISTRICTS 20B1, 20B2, AND 20B3, AND TO CREATE DISTRICT COURT DISTRICT 20B4 AS PART OF THE SET OF DISTRICT COURT DISTRICTS SERVING UNION AND STANLY COUNTIES.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	3
Second	4A	Duplin, Jones, Sampson	1
Second	4B	Onslow	1
Second	5A	(part of New Hanover, part of Pender see subsection (b))	1
	5B	(part of New Hanover,	1



1			part of Pender	
2			see subsection (b))	
3		5C	(part of New Hanover,	1
4			see subsection (b))	
5	First	6A	Halifax	1
6	First	6B	Bertie, Hertford,	1
7			Northampton	
8	First	7A	Nash	1
9	First	7B	(part of Wilson,	1
10			part of Edgecombe,	
11			see subsection (b))	
12	First	7C	(part of Wilson,	1
13			part of Edgecombe,	
14			see subsection (b))	
15	Second	8A	Lenoir and Greene	1
16	Second	8B	Wayne	1
17	Third	9	Franklin, Granville,	2
18			Vance, Warren	
19	Third	9A	Person, Caswell	1
20	Third	10A	(part of Wake,	2
21			see subsection (b))	
22	Third	10B	(part of Wake,	2
23			see subsection (b))	
24	Third	10C	(part of Wake,	1
25			see subsection (b))	
26	Third	10D	(part of Wake,	1
27			see subsection (b))	
28	Fourth	11A	Harnett,	1
29			Lee	
30	Fourth	11B	Johnston	1
31	Fourth	12A	(part of Cumberland,	1
32			see subsection (b))	
33	Fourth	12B	(part of Cumberland,	1
34			see subsection (b))	
35	Fourth	12C	(part of Cumberland,	2
36			see subsection (b))	
37	Fourth	13A	Bladen, Columbus	1
38	Fourth	13B	Brunswick	1
39	Third	14A	(part of Durham,	1
40			see subsection (b))	
41	Third	14B	(part of Durham,	3
42			see subsection (b))	
43	Third	15A	Alamance	2
44	Third	15B	Orange, Chatham	2
45	Fourth	16A	Scotland, Hoke	1
46	Fourth	16B	Robeson	2
47	Fifth	17A	Rockingham	2
48	Fifth	17B	Stokes, Surry	2
49	Fifth	18A	(part of Guilford,	1
50			see subsection (b))	
51	Fifth	18B	(part of Guilford,	1

1			see subsection (b))	
2	Fifth	18C	(part of Guilford,	1
3			see subsection (b))	
4	Fifth	18D	(part of Guilford,	1
5			see subsection (b))	
6	Fifth	18E	(part of Guilford,	1
7			see subsection (b))	
8	Sixth	19A	Cabarrus	1
9	Fifth	19B	Montgomery, Randolph	1
10	Sixth	19C	Rowan	1
11	Fifth	19D	Moore	1
12	Sixth	20A	Anson, Richmond,	<u>2</u> <u>1</u>
13			Stanley	
14	Sixth	20B	Union Union, Stanly	<u>2</u> <u>3</u>
15	Fifth	21A	(part of Forsyth,	1
16			see subsection (b))	
17	Fifth	21B	(part of Forsyth,	1
18			see subsection (b))	
19	Fifth	21C	(part of Forsyth,	1
20			see subsection (b))	
21	Fifth	21D	(part of Forsyth,	1
22			see subsection (b))	
23	Sixth	22A	Alexander, Iredell	2
24	Sixth	22B	Davidson, Davie	2
25	Fifth	23	Alleghany, Ashe,	1
26			Wilkes, Yadkin	
27	Eighth	24	Avery, Madison,	2
28			Mitchell,	
29			Watauga, Yancey	
30	Seventh	25A	Burke, Caldwell	2
31	Seventh	25B	Catawba	2
32	Seventh	26A	(part of Mecklenburg,	2
33			see subsection (b))	
34	Seventh	26B	(part of Mecklenburg,	3
35			see subsection (b))	
36	Seventh	26C	(part of Mecklenburg,	2
37			see subsection (b))	
38	Seventh	27A	Gaston	2
39	Seventh	27B	Cleveland, Lincoln	2
40	Eighth	28	Buncombe	2
41	Eighth	29A	McDowell,	1
42			Rutherford	
43	Eighth	29B	Henderson, Polk,	1
44			Transylvania	
45	Eighth	30A	Cherokee, Clay,	1
46			Graham, Macon,	
47			Swain	
48	Eighth	30B	Haywood, Jackson	1."
49	SECTION 1.(b) The superior court judgeship transferred from District 20A to			
50	District 20B by Section 1(a) of this act shall be filled by the judge currently serving District			

20A who resides in Stanly County. That judge's term expires December 31, 2012, and a successor shall be elected in the 2012 general election.

SECTION 2.(a) G.S. 7A-133(a) reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set forth in the following table:

District	Judges	County
1	5	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
2	4	Martin Beaufort Tyrrell Hyde Washington
3A	5	Pitt
3B	6	Craven Pamlico Carteret
4	8	Sampson Duplin Jones Onslow
5	9	New Hanover Pender
6A	3	Halifax
6B	3	Northampton Bertie Hertford
7	7	Nash Edgecombe Wilson
8	6	Wayne Greene Lenoir
9	4	Granville (part of Vance see subsection (b)) Franklin
9A	2	Person Caswell
9B	2	Warren (part of Vance see subsection (b))
10	19	Wake
11	11	Harnett

1			Johnston
2			Lee
3	12	10	Cumberland
4	13	6	Bladen
5			Brunswick
6			Columbus
7	14	7	Durham
8	15A	4	Alamance
9	15B	5	Orange
10			Chatham
11	16A	3	Scotland
12			Hoke
13	16B	5	Robeson
14	17A	3	Rockingham
15	17B	4	Stokes
16			Surry
17	18	14	Guilford
18	19A	4	Cabarrus
19	19B	7	Montgomery
20			Moore
21			Randolph
22	19C	5	Rowan
23	20A	4 <u>3</u>	Stanly
24			Anson
25			Richmond
26	20B <u>20B1</u>	1	(part of Union
27			see subsection (b))
28	20C <u>20B2</u>	2	(part of Union
29			see subsection (b))
30	20D <u>20B3</u>	1	Union
31	<u>20B4</u>	<u>1</u>	<u>Stanly</u>
32	21	10	Forsyth
33	22A	5	Alexander
34			Iredell
35	22B	6	Davidson
36			Davie
37	23	4	Alleghany
38			Ashe
39			Wilkes
40			Yadkin
41	24	4	Avery
42			Madison
43			Mitchell
44			Watauga
45			Yancey
46	25	9	Burke
47			Caldwell
48			Catawba
49	26	21	Mecklenburg
50	27A	7	Gaston
51	27B	5	Cleveland

1			Lincoln
2	28	7	Buncombe
3	29A	3	McDowell
4			Rutherford
5	29B	4	Henderson
6			Polk
7			Transylvania
8	30	6	Cherokee
9			Clay
10			Graham
11			Haywood
12			Jackson
13			Macon
14			Swain."

SECTION 2.(b) G.S. 7A-133(b) reads as rewritten:

"(b) For district court districts of less than a whole county, or with part or all of one county with part of another, the composition of the district is as follows:

- (1) District Court District 9 consists of Franklin and Granville Counties and the remainder of Vance County not in District Court District 9B.
- (2) District Court District 9B consists of Warren County and East Henderson I, North Henderson I, North Henderson II, Middleburg, Townsville, and Williamsboro Precincts of Vance County.
- (3) District Court District ~~20C~~ 20B2 consists of the remainder of Union County not in District Court District ~~20B~~ 20B1.
- (4) District Court District ~~20B~~ 20B1 consists of Precinct 01: Tract 204.01: Block Group 2: Block 2040, Block 2057, Block 2058, Block 2060, Block 2061, Block 2062, Block 2064, Block 2065; Tract 204.02: Block Group 2: Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034; Block Group 3: Block 3000, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3026, Block 3027, Block 3028, Block 3029, Block 3030, Block 3031, Block 3032, Block 3033, Block 3034, Block 3035, Block 3036, Block 3037, Block 3038, Block 3039, Block 3040, Block 3041, Block 3042, Block 3043, Block 3044, Block 3045, Block 3046, Block 3047; Block Group 4: Block 4035, Block 4054, Block 4055; Precinct 02: Tract 205: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1037, Block 1038; Block Group 2: Block 2081, Block 2082, Block 2092, Block 2099, Block 2100, Block 2101, Block 2102; Tract 206: Block Group 3: Block 3036, Block 3038, Block 3039, Block 3040, Block 3048; Block Group 4: Block 4053; Precinct 03, Precinct 04, Precinct 06: Tract 202.02: Block Group 1: Block 1012, Block 1013, Block 1014, Block 1015, Block 1017, Block 1018, Block 1021, Block 1022, Block 1023; Tract

204.01: Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2033, Block 2034, Block 2035, Block 2036, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2056, Block 2063, Block 2999; Precinct 08, Precinct 09, Precinct 10, Precinct 13, Precinct 23; Tract 206: Block Group 4: Block 4051; Precinct 25: Tract 206: Block Group 4: Block 4036; Precinct 34, Precinct 36, Precinct 43 of Union County.

Precinct boundaries as used in this section for Vance County are those shown on maps on file with the Legislative Services Office on May 1, 1991, for Union County, are those shown on the Legislative Services Office's redistricting computer database on January 1, 2005; and for other counties are those reported by the United States Bureau of the Census under Public Law 94-171 for the 1990 Census in the IVTD Version of the TIGER files."

SECTION 2.(c) G.S. 7A-200(a)(2) reads as rewritten:

"(2) "Set of districts" means any set of two or more district court districts established under G.S. 7A-133, none of which consists exclusively of one or more entire counties, but both or all of which include territory from the same county or counties and together comprise all of the territory of that county or those counties; "set of districts" also means a set of ~~three~~ four district court districts in ~~one county, one consisting of the entire county and the other two consisting of parts of that county;~~ two counties, one consisting of one of the counties, one consisting of the other county, and the other two consisting of parts of one of the counties; and".

SECTION 2.(d) The district court judgeship transferred from District 20A to District 20B4 by Section 2(a) of this act shall be filled by the judge currently serving District 20A who resides in Stanly County. That judge's term expires December 31, 2014, and a successor shall be elected in the 2014 general election.

SECTION 3.(a) Effective January 1, 2013, G.S. 7A-133(a), as amended by Section 2 of this act, reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set forth in the following table:

District	Judges	County
1	5	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
2	4	Martin Beaufort Tyrrell Hyde Washington
3A	5	Pitt
3B	6	Craven Pamlico Carteret
4	8	Sampson Duplin

1			Jones
2			Onslow
3	5	9	New Hanover
4			Pender
5	6A	3	Halifax
6	6B	3	Northampton
7			Bertie
8			Hertford
9	7	7	Nash
10			Edgecombe
11			Wilson
12	8	6	Wayne
13			Greene
14			Lenoir
15	9	4	Granville
16			(part of Vance
17			see subsection (b))
18			Franklin
19	9A	2	Person
20			Caswell
21	9B	2	Warren
22			(part of Vance
23			see subsection (b))
24	10	19	Wake
25	11	11	Harnett
26			Johnston
27			Lee
28	12	10	Cumberland
29	13	6	Bladen
30			Brunswick
31			Columbus
32	14	7	Durham
33	15A	4	Alamance
34	15B	5	Orange
35			Chatham
36	16A	3	Scotland
37			Hoke
38	16B	5	Robeson
39	17A	3	Rockingham
40	17B	4	Stokes
41			Surry
42	18	14	Guilford
43	19A	4	Cabarrus
44	19B	7	Montgomery
45			Moore
46			Randolph
47	19C	5	Rowan
48	20A	3 <u>2</u>	Anson
49			Richmond
50	20B1	1	(part of Union
51			see subsection (b))

1	20B2	2	(part of Union
2			see subsection (b))
3	20B3	1	Union
4	20B4	1 2	Stanly
5	21	10	Forsyth
6	22A	5	Alexander
7			Iredell
8	22B	6	Davidson
9			Davie
10	23	4	Alleghany
11			Ashe
12			Wilkes
13			Yadkin
14	24	4	Avery
15			Madison
16			Mitchell
17			Watauga
18			Yancey
19	25	9	Burke
20			Caldwell
21			Catawba
22	26	21	Mecklenburg
23	27A	7	Gaston
24	27B	5	Cleveland
25			Lincoln
26	28	7	Buncombe
27	29A	3	McDowell
28			Rutherford
29	29B	4	Henderson
30			Polk
31			Transylvania
32	30	6	Cherokee
33			Clay
34			Graham
35			Haywood
36			Jackson
37			Macon
38			Swain."

39 **SECTION 3.(b)** The additional district court judgeship established for District
 40 Court District 20B4 by Section 3(a) of this act shall be filled by election in the 2012 general
 41 election.

42 **SECTION 3.(c)** Effective December 31, 2012, the end of the current term, the
 43 district court judgeship in District Court District 20A held by a resident of Anson County as of
 44 January 1, 2011, is abolished.

45 **SECTION 4.(a)** G.S. 7A-60(a1) reads as rewritten:

46 "(a1) The counties of the State are organized into prosecutorial districts, and each district
 47 has the counties and the number of full-time assistant district attorneys set forth in the
 48 following table:

49			No. of Full-Time
50	Prosecutorial		Asst. District
51	District	Counties	Attorneys

1	1	Camden, Chowan, Currituck,	11
2		Dare, Gates, Pasquotank,	
3		Perquimans	
4	2	Beaufort, Hyde, Martin,	8
5		Tyrrell, Washington	
6	3A	Pitt	11
7	3B	Carteret, Craven, Pamlico	12
8	4	Duplin, Jones, Onslow,	18
9		Sampson	
10	5	New Hanover, Pender	18
11	6A	Halifax	5
12	6B	Bertie, Hertford,	6
13		Northampton	
14	7	Edgecombe, Nash, Wilson	19
15	8	Greene, Lenoir, Wayne	14
16	9	Franklin, Granville,	12
17		Vance, Warren	
18	9A	Person, Caswell	6
19	10	Wake	42
20	11A	Harnett, Lee	9
21	11B	Johnston	10
22	12	Cumberland	23
23	13	Bladen, Brunswick, Columbus	13
24	14	Durham	18
25	15A	Alamance	11
26	15B	Orange, Chatham	10
27	16A	Scotland, Hoke	7
28	16B	Robeson	13
29	17A	Rockingham	7
30	17B	Stokes, Surry	8
31	18	Guilford	32
32	19A	Cabarrus	9
33	19B	Montgomery, Randolph	10
34	19C	Rowan	8
35	19D	Moore	5
36	20A	Anson, Richmond,	12 <u>7</u>
37		Stanly	
38	20B	Union Union, Stanly	40 <u>15</u>
39	21	Forsyth	25
40	22A	Alexander, Iredell	11
41	22B	Davidson, Davie	11
42	23	Alleghany, Ashe, Wilkes,	8
43		Yadkin	
44	24	Avery, Madison, Mitchell,	7
45		Watauga, Yancey	
46	25	Burke, Caldwell, Catawba	19
47	26	Mecklenburg	58
48	27A	Gaston	15
49	27B	Cleveland,	11
50		Lincoln	
51	28	Buncombe	14

1	29A	McDowell, Rutherford	7
2	29B	Henderson, Polk, Transylvania	8
3	30	Cherokee, Clay, Graham,	11
4		Haywood, Jackson, Macon,	
5		Swain."	

6 **SECTION 4.(b)** The five district attorney positions transferred from Prosecutorial
7 District 20A to Prosecutorial District 20B by Section 3(a) of this act shall be filled by five
8 assistant district attorneys currently serving Stanly County in Prosecutorial District 20A.

9 **SECTION 5.** Section 3 of this act becomes effective January 1, 2013, or on the
10 date that this act receives preclearance under section 5 of the Voting Rights Act of 1965,
11 whichever is later, but applies to the 2012 election as provided in the terms of that section. The
12 remainder of this act becomes effective October 1, 2011, or on the date that this act receives
13 preclearance under section 5 of the Voting Rights Act of 1965, whichever is later.