



CHAPTER 153A
ARTICLE 4 - FORM OF GOVERNMENT

N.C.G.S. § 153A-27.1.

Vacancies on board of commissioners in certain counties.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-13, s. 1(a) — twentieth act in the lineage	21 September 2026, 02:54 UTC	9e9f6f5985355749643c137e - dbf23df4d01f2300bea4d10a - 81b00e44ba0a6f21

- § 153A-27.1(a)

If a vacancy occurs on the board of commissioners, the remaining members of the board shall appoint a qualified person to fill the vacancy. If the number of vacancies on the board is such that a quorum of the board cannot be obtained, the chairman of the board shall appoint enough members to make up a quorum, and the board shall then proceed to fill the remaining vacancies. If the number of vacancies on the board is such that a quorum of the board cannot be obtained and the office of chairman is vacant, the clerk of superior court of the county shall fill the vacancies upon the request of any remaining member of the board or upon the petition of any registered voters of the county.
- § 153A-27.1(b)

If the member being replaced was serving a two-year term, or if the member was serving a four-year term and the vacancy occurs later than 60 days before the general election for county commissioner held after the first two years of the term, the appointment to fill the vacancy is for the remainder of the unexpired term. Otherwise, the term of the person appointed to fill the vacancy extends to the first Monday in December next following the first general election for county commissioner held more than 60 days after the day the vacancy occurs; at that general election, a person shall be elected to the seat vacated for the remainder of the unexpired term.
- § 153A-27.1(c)

To be eligible for appointment to fill a vacancy, a person must (i) be a member of the same political party as the member being replaced, if that member was elected as the nominee of a political party, and (ii) be a resident of the same district as the member being replaced, if the county is divided into electoral districts.

- § 153A-27.1(d)** If the member who vacated the seat was elected as a nominee of a political party, the board of commissioners, the chairman of the board, or the clerk of superior court, as the case may be, shall consult the county executive committee of the appropriate political party before filling the vacancy, and shall appoint the person recommended by the county executive committee of the political party of which the commissioner being replaced was a member, if the party makes a recommendation within 30 days of the occurrence of the vacancy.
- § 153A-27.1(e)** Whenever because of G.S. 153A-58(3)b. or because of any local act, only the qualified voters of an area which is less than the entire county were eligible to vote in the general election for the member whose seat is vacant, the appointing authority must accept the recommendation only if the county executive committee restricted voting to committee members who represent precincts all or part of which were within the territorial area of the district of the county commissioner.
- § 153A-27.1(f)** The provisions of any local act which provides that a county executive committee of a political party shall fill any vacancy on a board of county commissioners are repealed.
- § 153A-27.1(g)** Counties subject to this section are not subject to G.S. 153A-27.
- § 153A-27.1(h)** This section shall apply only in the following counties: Alamance, Alexander, Alleghany, Avery, Beaufort, Brunswick, Buncombe, Cabarrus, Caldwell, Carteret, Caswell, Cherokee, Clay, Cleveland, Cumberland, Dare, Davidson, Davie, Forsyth, Graham, Guilford, Harnett, Haywood, Henderson, Hyde, Jackson, Lee, Lincoln, Macon, Madison, McDowell, Mecklenburg, Moore, Onslow, Pender, Polk, Randolph, Rockingham, Rutherford, Sampson, Stanly, Stokes, Transylvania, and Yancey.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I 20 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
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01	1981	c. 763, ss. 6, 14	ENACTED
02	1981	c. 830	AMENDED
03	1983	c. 418	AMENDED
04	1985	c. 563, s. 7.2	AMENDED
05	1987	c. 196, s. 1	AMENDED
06	1989	c. 296	AMENDED
07	1989	c. 497, s. 2	AMENDED
08	1991	c. 395, s. 1	AMENDED
09	1991	c. 558, s. 1	AMENDED
10	1991	1995 (Reg. Sess., 1996), c. 683, s. 1	AMENDED
11	1997	S.L. 1997-88, s. 1	AMENDED
12	2009	S.L. 2009-32, s. 1	AMENDED
13	2011	S.L. 2011-126, s. 2	AMENDED
14	2014	S.L. 2014-6, s. 5(a)	AMENDED
15	2014	S.L. 2014-92, s. 2(a)	AMENDED
16	2017	S.L. 2017-2, s. 2	AMENDED
17	2019	S.L. 2019-5, s. 2(b)	AMENDED
18	2019	S.L. 2019-102, s. 1(a)	AMENDED
19	2025	S.L. 2025-3, s. 4(a)	AMENDED
20	2025	S.L. 2025-13, s. 1(a)	AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 153A-58(3)	(e)	<i>"Whenever because of"</i>
G.S. 153A-27	(g)	<i>"this section are not subject to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 153A-27.1 (2025).

PINPOINT

N.C. Gen. Stat. § 153A-27.1(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1981, c. 763, ss. 6, 14; c. 830; 1983, c. 418; 1985, c. 563, s. 7.2; 1987, c. 196, s. 1; 1989, c. 296; c. 497, s. 2; 1991, c. 395, s. 1; c. 558, s. 1; 1995 (Reg. Sess., 1996), c. 683, s. 1; 1997-88, s. 1; 2009-32, s. 1; 2011-126, s. 2; 2014-6, s. 5(a); 2014-92, s. 2(a); 2017-2, s. 2; 2019-5, s. 2(b); 2019-102, s. 1(a); 2025-3, s. 4(a); 2025-13, s. 1(a).)

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