



# HOUSE BILL 704: Divide School Systems/Study Committee.

2017-2018 General Assembly

---

<b>Committee:</b>		<b>Date:</b>	August 25, 2017
<b>Introduced by:</b>		<b>Prepared by:</b>	Brian Gwyn*
<b>Analysis of:</b>	S.L. 2017-198		Staff Attorney

---

**OVERVIEW:** *S.L. 2017-198 creates the Joint Legislative Study Committee on the Division of Local School Administrative Units (Committee). The Committee must be made up of five members of the Senate and five members of the House. The Committee must study and make recommendations on the following:*

- *The feasibility and advisability of enacting legislation to permit local school administrative units that were merged from separate units to be divided into separate local school administrative units once again.*
- *The varied and best ways by which the division of a local school administrative unit could be achieved.*
- *Whether legislation permitting the division of local school administrative units should require as a prerequisite to the division a majority vote of the qualified voters of the county through a referendum or election.*
- *Whether legislation permitting the division of local school administrative units should require as a prerequisite to the division a petition from a certain percentage of the qualified voters of the county and, if so, to what entity the petition should be delivered.*
- *Any other issue the Committee considers relevant to this study.*

*The Committee must submit a final report on the results of its study, including any proposed legislation, to the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representatives, the Joint Legislative Education Oversight Committee, and the Legislative Library by May 1, 2018.*

*This act became effective July 31, 2017.*

**CURRENT LAW:** Article 7 of the Chapter 115C of the General Statutes provides statutory authority for merger of contiguous LEAs in adjacent counties as well as mergers of city and county LEAs within the same county, subject to approval by the State Board of Education. The General Statutes do not provide a process for division of an existing LEA.

**BILL ANALYSIS:** S.L. 2017-198 creates the Joint Legislative Study Committee on the Division of Local School Administrative Units (Committee). The Committee must be made up of five members of

Karen Cochrane-Brown  
Director



H 7 0 4 - S M B E - 9 2 S L - V - 2

Legislative Analysis  
Division  
919-733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*

# House Bill 704

Page 2

the Senate and five members of the House. The Committee must study and make recommendations on the following:

- The feasibility and advisability of enacting legislation to permit local school administrative units that were merged from separate units to be divided into separate local school administrative units once again.
- The varied and best ways by which the division of a local school administrative unit could be achieved.
- Whether legislation permitting the division of local school administrative units should require as a prerequisite to the division a majority vote of the qualified voters of the county through a referendum or election.
- Whether legislation permitting the division of local school administrative units should require as a prerequisite to the division a petition from a certain percentage of the qualified voters of the county and, if so, to what entity the petition should be delivered.
- Any other issue the Committee considers relevant to this study.

The Committee must submit a final report on the results of its study, including any proposed legislation, to the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representatives, the Joint Legislative Education Oversight Committee, and the Legislative Library by May 1, 2018.

**EFFECTIVE DATE:** This act became effective July 31, 2017.

**BACKGROUND:** Currently there are 115 LEAs in the State. Each county has an LEA. In addition, 11 counties have both a county LEA as well as 1 or 2 city LEAs within the county. Since 1960, there have been 45 mergers of city and county LEAs in North Carolina. There have been no mergers of county LEAs.

*\*This summary was substantially contributed to by Kara McCraw, Committee Counsel.*