

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 920
SENATE BILL 685

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT MIDTERM VACANCY ELECTIONS SHALL BE HELD WHEN THE VACANCY OCCURS AT LEAST SIXTY DAYS BEFORE THE ELECTION RATHER THAN AT LEAST THIRTY DAYS BEFORE THE ELECTION, SO AS TO EASE THE ADMINISTRATION OF ELECTIONS.

The General Assembly of North Carolina enacts:

Section 1. Section 7(3) of Article III of the Constitution of North Carolina is amended by deleting "30 days", and substituting "60 days".

Sec. 2. Section 19 of Article IV of the Constitution of North Carolina is amended by deleting "30 days", and substituting "60 days".

Sec. 3. The amendments set forth in Sections 1 and 2 of this act shall be submitted to the qualified voters of the State at the general election in November 1986, which election shall be conducted under the laws then governing elections in the State. At that election, each qualified voter who desires to vote shall be provided a ballot on which shall be printed the following:

"@ FOR constitutional amendment providing that an election shall be held to fill the remainder of the unexpired term if the vacancy occurs more than 60 days before the next election, rather than 30 days as is presently provided.

@ AGAINST constitutional amendment providing that an election shall be held to fill the remainder of the unexpired term if the vacancy occurs more than 60 days before the next election, rather than 30 days as is presently provided."

Those qualified voters favoring the amendments shall vote by marking an "X" or check mark in the square beside the statement beginning "FOR", and those qualified voters opposed to the amendments shall vote by marking an "X" or check mark in the square beside the statement beginning "AGAINST".

Notwithstanding the foregoing provisions of this section, voting machines may be used in accordance with rules prescribed by the State Board of Elections.

Sec. 4. If a majority of votes cast thereon are in favor of the constitutional amendments, the State Board of Elections shall certify the amendments to the Secretary of State who shall enroll the amendments so certified among the permanent records of his office. The constitutional amendments shall become effective January 1, 1987.

Sec. 5. G.S. 163-8 is amended by deleting "30 days", and substituting "60 days".

Sec. 6. G.S. 163-9 is amended by deleting "30 days", and substituting "60 days".

Sec. 7. G.S. 163-10 is amended by deleting "30 days", and substituting "60 days".

Sec. 8. Sections 5 through 8 of this act shall take effect only upon approval of the voters of the constitutional amendments set forth in Sections 1 and 2 of this act. If the constitutional amendments proposed in those sections are approved by the voters, Sections 5 through 8 of this act shall become effective at the same time as the constitutional amendments.

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 7th day of July, 1986.