

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 8

Short Title: Term Limitations.

(Public)

Sponsors: Senator Lee.

Referred to: Constitution.

January 31, 1991

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE NUMBER OF CONSECUTIVE TERMS THAT MEMBERS OF THE GENERAL ASSEMBLY OR THE COUNCIL OF STATE MAY SERVE.

The General Assembly of North Carolina enacts:

Section 1. Section 7 of Article II of the Constitution of North Carolina is amended by adding a new subdivision to read:

"(7) **Limitation of consecutive terms.** No person elected to any office established by this section shall be eligible for election to more than two consecutive terms of that same office. An election to fill the remainder of the unexpired term under subdivision (3) of this section is election to a term for the purpose of this subdivision. Terms of office beginning before January 1, 1993, shall not be considered for the purpose of this subdivision. A person disqualified by this section from election to the next succeeding term of an office may not fill a vacancy in that succeeding term."

Sec. 2. Article II of the Constitution of North Carolina is amended by adding a new section to read:

"Sec. 25. Limitation of consecutive terms.

(1) For the purpose of this section a 'member of the General Assembly' is a member of either the House of Representatives or of the Senate.

(2) No person shall be eligible for election to more than four consecutive terms as a member of the General Assembly. If a person is not elected to a full term as a member of the General Assembly, service as a member of the General Assembly caused by filling of a vacancy shall be considered as a term for the purpose of this section if the person takes office during the first calendar year of the term.

1 (3) Terms of office beginning before January 1, 1993, shall not be considered for
2 the purpose of this section.

3 (4) A person disqualified by this section from election to the next succeeding
4 term as a member of the General Assembly may not fill a vacancy in that succeeding
5 term."

6 Sec. 3. The amendments set out in Sections 1 and 2 of this act shall be
7 submitted to the qualified voters of the State at the general election in November 1992,
8 which election shall be conducted under the laws then governing elections in the State.
9 At that election, each qualified voter desiring to vote shall be provided a ballot on which
10 shall be printed the following:

11 " [] FOR Constitutional amendments limiting members of the Council of
12 State to two consecutive four-year terms of the same office and
13 limiting membership in the General Assembly to four consecutive two-
14 year terms.

15 [] AGAINST Constitutional amendments limiting members of the
16 Council of State to two consecutive four-year terms of the same office
17 and limiting membership in the General Assembly to four consecutive
18 two-year terms."

19 Those qualified voters favoring the amendments set out in Sections 1 and 2
20 of this act shall vote by making an X or a check mark in the square beside the statement
21 beginning "FOR", and those qualified voters opposed to those amendments shall vote
22 by making an X or check mark in the square beside the statement beginning
23 "AGAINST".

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

27 Sec. 4. If a majority of votes cast thereon are in favor of the amendments set
28 out in Sections 1 and 2 of this act, the State Board of Elections shall certify the
29 amendments to the Secretary of State, who shall enroll the amendments so certified
30 among the permanent records of his office, and the amendments become effective upon
31 such certification.

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