

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

1

HOUSE BILL 1106

Short Title: Term Limits.

(Public)

Sponsors: Representatives Ellis; Decker and Nichols.

Referred to: Constitutional Amendments and Referenda.

April 19, 1993

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT
2 MEMBERS OF THE LEGISLATURE TO THREE CONSECUTIVE TERMS IN A
3 HOUSE, AND TO LIMIT MEMBERS OF THE EXECUTIVE BRANCH TO TWO
4 FOUR-YEAR TERMS.
5

6 The General Assembly of North Carolina enacts:

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

9 "Sec. 25. Limitation of consecutive terms.

10 (1) No person shall be eligible for election to more than three consecutive terms
11 as a member of the House of Representatives, nor to more than three consecutive terms
12 as a member of the Senate. If a person is not elected to a full term, service caused by
13 filling of a vacancy shall be considered as a term for the purpose of this section if the
14 person takes office during the first two calendar years of the term.

15 (2) Terms of office beginning before January 1, 1995, shall not be considered for
16 the purpose of this section.

17 (3) A person disqualified by this section from election to the next succeeding
18 term as a member of the House of Representatives or Senate may not fill a vacancy in
19 that succeeding term."

20 Sec. 2. Section 7(1) of Article III of the Constitution of North Carolina, as
21 amended by Section 5 of this act, reads as rewritten:

22 "(1) **Officers.** A Secretary of State, an Auditor, a Treasurer, a Superintendent of
23 Public Instruction, an Attorney General, a Commissioner of Agriculture, a
24 Commissioner of Labor, and a Commissioner of Insurance shall be elected by the

1 qualified voters of the State in 1972 and every four years thereafter, at the same time
2 and places as members of the General Assembly are elected. Their term of office shall
3 be four years and shall commence on the first day of January next after their election
4 and continue until their successors are elected and qualified. No person elected to any
5 office created by this subsection shall be eligible for election to more than two
6 consecutive terms of the same office, but terms of office beginning before January 1,
7 1995, shall not be considered for the purpose of this sentence."

8 Sec. 3. The amendments set forth in Sections 1 and 2 of this act shall be
9 submitted to the qualified voters of the State at the general election in November of
10 1994, which election shall be conducted under the laws then governing elections in the
11 State. At that election, each qualified voter who desires to vote shall be provided a
12 ballot on which shall be printed the following:

13 " [] FOR constitutional amendments limiting members to three consecutive
14 terms in the Senate or House of Representatives, and limiting the
15 members of the Council of State to two four-year terms.

16 [] AGAINST constitutional amendments limiting members to three
17 consecutive terms in the Senate or House of Representatives, and
18 limiting the members of the Council of State to two four-year terms."

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

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

26 Sec. 4. If a majority of votes cast thereon are in favor of the constitutional
27 amendments, the State Board of Elections shall certify the amendments to the Secretary
28 of State who shall enroll the amendments so certified among the permanent records of
29 his office. The constitutional amendments shall become effective January 1, 1995.