

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS15001-LBx-45 (01/23)

Short Title: Session Limits.

(Public)

Sponsors: Senator Berger of Rockingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE
LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOR AN EARLIER
CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATION.

The General Assembly of North Carolina enacts:

SECTION 1. Section 11(1) of Article II of the North Carolina Constitution reads
as rewritten:

"(1) Regular sessions.

(a) The General Assembly shall meet in regular session ~~in 1973~~ after the term of
office for Senators and Representatives commences in 2010 and every two
years thereafter on the day prescribed by law.

(b) Odd-numbered years. – Beginning with the regular session in 2011, during
an odd-numbered year, the General Assembly shall remain in session for no
more than 90 calendar days, except that this period may be extended by joint
resolution once per regular session for not more than 10 calendar days. The
month of December beginning on the first Wednesday in the month in each
preceding even-numbered year is also included in the calculation of the limit
of days the General Assembly may meet in odd-numbered years. If the
General Assembly, upon convening of the regular session, meets initially for
not more than two consecutive calendar days and then adjourns for not less
than 30 calendar days, that period of adjournment shall be excluded from the
90 calendar days.

(c) Even-numbered years. – If the regular session meets in even-numbered
years, the General Assembly shall remain in session for no more than 45
calendar days, except that this period may be extended by joint resolution
once per regular session for not more than 10 calendar days, but the month
of December beginning on the first Wednesday in the month of each
even-numbered year is excluded from the calculation of the maximum
number of days the General Assembly can meet in that year.

(d) Any reconvened session called under Section 5 of Article III of this
Constitution shall be excluded from the calculations of this section.

(e) Neither house shall proceed upon public business unless a majority of all of
its members are actually present.



1 (f) No valid action, other than a resolution of adjournment, may be taken by the
2 General Assembly after the time limits prescribed in this section have
3 expired."

4 **SECTION 2.** Section 9 of Article II of the North Carolina Constitution reads as
5 rewritten:

6 **"Sec. 9. Term of office.**

7 The term of office of Senators and Representatives shall commence on the first ~~day of~~
8 ~~January~~ Wednesday in December next after their election."

9 **SECTION 3.** The amendments set out in this act shall be submitted to the qualified
10 voters of the State at the next statewide election, primary or otherwise, which election shall be
11 conducted under the laws then governing elections in the State. Ballots, voting systems, or
12 both may be used in accordance with Chapter 163 of the General Statutes. The question to be
13 used in the voting systems and ballots shall be:

14 "[] FOR [] AGAINST

15 Constitutional amendments limiting the length of the legislative session and making
16 conforming amendments concerning the date of the beginning of the term."

17 **SECTION 4.** If a majority of votes cast on the question are in favor of the
18 amendments set out in this act, the State Board of Elections shall certify the amendments to the
19 Secretary of State whereupon the amendments shall become effective. The Secretary of State
20 shall enroll the amendments so certified among the permanent records of that office.

21 **SECTION 5.** This act is effective when it becomes law.