

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 1155
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30575-MCxy-240

Short Title: The People's Right to Amend Act.

(Public)

Sponsors: Representative Helfrich.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE TO
3 THE PEOPLE THE POWER OF INITIATIVE.

4 Whereas, unlike in many other states, the Constitution of North Carolina limits the
5 proposal of constitutional amendments to those initiated by the House of Representatives and the
6 Senate; and

7 Whereas, the exclusive reliance on the legislative branch to propose amendments can
8 serve as a barrier to vital structural reforms when the General Assembly itself stands in the way
9 of reforms desired by strong majorities of voters; and

10 Whereas, empowering citizens with a direct initiative process provides a necessary
11 democratic recourse, but the experiences of other states demonstrate that such a process must
12 include robust safeguards to prevent abuse; and

13 Whereas, requiring a high bar for placing initiatives on the ballot and a supermajority
14 requirement to approve them will guarantee that only measures with extensive,
15 cross-constituency public support can successfully amend the State's foundational document;
16 Now, therefore,

17 The General Assembly of North Carolina enacts:

18 **SECTION 1.** Article XIII of the Constitution of North Carolina is amended by
19 adding a new section to read:

20 "**Sec. 5. Initiative.**

21 (1) Procedure for proposal. The people may initiate a referendum on a proposed
22 amendment to the Constitution by presenting to the State Board of Elections a petition that sets
23 forth the text of the proposed amendment to the Constitution and is certified to have been signed
24 by qualified voters not less in number than eight percent (8%) of the votes for all candidates for
25 Governor at the last gubernatorial election with no less than three percent (3%) of such signatures
26 from each congressional district. The petition shall ask that it be submitted to the qualified voters
27 and shall make clear to anyone signing the petition the effect of the proposed amendments.

28 (2) Registration. A petition must be registered with the State Board of Elections prior to
29 circulation, and no signature shall be valid unless submitted to the State Board of Elections within
30 one year after the date of registration.

31 (3) Submission to voters. The State Board of Elections shall submit the proposed
32 constitutional amendment to the qualified voters of the State at the next statewide general election
33 held not less than 180 days from the date of certification by the State Board of Elections that the
34 petition is valid. The submission shall accurately reflect the effect of the proposed amendments
35 as set forth in the petition and the full text of the amendment shall be provided with any ballot
36 by which a vote may be cast.



1 (4) Restricted subjects. No initiative measure may change the provisions of this
2 subsection. No initiative measure defeated under this Section may be considered again under this
3 Section until five years from the date of the election have elapsed.

4 (5) Effectiveness; effective date. An initiative to be effective must be approved by sixty
5 percent (60%) of the qualified voters voting in the election thereon. An initiative takes effect on
6 the first day of January after the election, unless the proposed amendment provides a different
7 effective date.

8 (6) Implementation. The General Assembly shall provide by general law the manner and
9 timing for which petitions shall be circulated, verified, presented, and certified and the manner
10 in which measures are submitted to the qualified voters. The State Board of Elections shall make
11 all necessary determinations regarding the petition within 30 working days of submission of the
12 signatures required by this Section, which shall be tolled for any period of time that is within 10
13 working days before or after an election. A determination of the State Board of Elections may be
14 appealed as of right to the Court of Appeals. Written appeal shall be taken within two business
15 days after the determination of the State Board of Elections.

16 (7) Unseverability. If any part of this Section is held invalid or unenforceable by any
17 court of competent jurisdiction, this entire Section is repealed."

18 **SECTION 2.** The amendment set out in Section 1 of this act shall be submitted to
19 the qualified voters of the State at the statewide general election to be held on November 3, 2026,
20 which election shall be conducted in accordance with the laws governing elections at that time.
21 The question to be used in the voting systems and ballots shall be:

22 "[] FOR [] AGAINST

23 Constitutional amendment giving the people the power of initiative to adopt or reject
24 amendments to the Constitution."

25 **SECTION 3.** The State Board of Elections shall certify the results of the referendum
26 conducted under Section 2 of this act. If a majority of votes cast on the question are in favor of
27 the amendment set out in Section 1 of this act, the Secretary of State shall enroll the amendment
28 among the permanent records of that office. If a majority of votes cast on the question are against
29 the amendment set out in Section 1 of this act, the amendment shall have no effect.

30 **SECTION 4.** If the certification from the State Board of Elections under Section 3
31 of this act reflects that a majority of votes cast on the question are in favor of the amendment set
32 out in Section 1 of this act, the amendment set out in Section 1 of this act is effective upon
33 certification.

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