

February 4, 2009

H 72. FOUR-YEAR TERMS IMPLEMENTING STATUTE. Filed 2/4/09. *TO IMPLEMENT A CONSTITUTIONAL AMENDMENT PROVIDING FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY BY PROVIDING NECESSARY STATUTORY CHANGES.*

Under current law, there are events such as state and local elections, the filling of vacancies in elected offices, and the duration of appointments, which rely on the date of General Assembly elections in determining when the events are to take place. Current law provides that General Assembly members serve two year terms; a proposed constitutional amendment would change the term length to four years.

Directs that statutes and local acts that provide for using the date of General Assembly elections in determining when events are to take place, instead use the date of the next statewide election for Governor or General Assembly, whichever comes first, as the determining date for whatever purpose the date of the General Assembly Election is now used.

Amends GS 163-8 (filling vacancies in state executive offices), 163-9 (filling vacancies in state and district judicial offices), 163-10 (filling vacancy in the office of district attorney), and 163-12 (filling vacancy in United States Senate), to provide for using either the date of the next statewide election for Governor or General Assembly, whichever comes first, for calculating time durations previously tied to only the General Assembly elections.

Amends GS 7A-140 (district judge elections), GS 147-4 (election of executive officers), and 152-1 (election of coroner) to delete the requirement that the elections for these offices take place in the same manner and time as the election of the members of the General Assembly and instead provides that the elections are to occur at a time specified by GS Chapter 163 (time of primaries and elections). Also amends GS 161-1 (election of register of deeds), and GS 162-1 (election of county sheriff) to provide that the elections are to occur as prescribed in GS Chapter 163.

Makes conforming changes to GS 163-1.

The proposed amendments in this act take effect only upon voter approval at the May 4, 2010, statewide primary election of the proposed constitutional amendments set forth in *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY* (House Bill 71).

Intro. by Goforth, Brubaker, Carney, Howard. GS 7A, 147, 161, 162, 163