

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1307
Committee Substitute Favorable 5/11/09
Committee Substitute #2 Favorable 5/12/09
Fourth Edition Engrossed 5/13/09
PROPOSED SENATE COMMITTEE SUBSTITUTE H1307-PCS60090-LBx-95

Short Title: No Felon as Sheriff.

(Public)

Sponsors:

Referred to:

April 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE
3 THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED
4 SHERIFF.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 2 of Article VII of the Constitution of North Carolina reads
7 as rewritten:

8 "**Sec. 2. Sheriffs.**

9 In each county a Sheriff shall be elected by the qualified voters thereof at the same time and
10 places as members of the General Assembly are elected and shall hold his office for a period of
11 four years, subject to removal for cause as provided by law. No person is eligible to serve as
12 Sheriff if that person has been convicted of a felony against this State, the United States, or
13 another state, whether or not that person has been restored to the rights of citizenship in the
14 manner prescribed by law. Convicted of a felony includes the entry of a plea of guilty; a verdict
15 or finding of guilt by a jury, judge, magistrate, or other adjudicating body, tribunal, or official,
16 either civilian or military; or a plea of no contest, nolo contendere, or the equivalent."

17 **SECTION 2.** The amendment set out in this act shall be submitted to the qualified
18 voters of the State at the statewide general election on November 2, 2010, which election shall
19 be conducted under the laws then governing elections in the State. Ballots, voting systems, or
20 both may be used in accordance with Chapter 163 of the General Statutes. The question to be
21 used in the voting systems and ballots shall be:

22 "[] FOR [] AGAINST

23 Constitutional amendment providing that no person convicted of a felony may serve
24 as Sheriff."

25 **SECTION 3.** If a majority of votes cast on the question are in favor of the
26 constitutional amendment set out in this act, the State Board of Elections shall certify the
27 amendment to the Secretary of State. The constitutional amendment is effective upon
28 certification. The Secretary of State shall enroll the amendments so certified among the
29 permanent records of that office.



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