

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE DRS25096-LUX-32 (01/12)

Short Title: Four-Year Term for GA/Limit Consecutive Terms. (Public)

Sponsors: Senators Rabin, Tarte, and Daniel (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY AND STAGGER THOSE TERMS SUCH THAT, IN 2016, TWENTY-FIVE MEMBERS IN THE SENATE AND SIXTY MEMBERS IN THE HOUSE OF REPRESENTATIVES REMAIN IN OFFICE FOR ADDITIONAL TWO-YEAR TERMS AND THE REMAINING TWENTY-FIVE MEMBERS IN THE SENATE AND SIXTY MEMBERS IN THE HOUSE OF REPRESENTATIVES ARE CHOSEN BY BALLOT TO SERVE FOUR-YEAR TERMS, AND LIMITING MEMBERS OF THE GENERAL ASSEMBLY TO FOUR CONSECUTIVE TERMS IN A LEGISLATIVE CHAMBER.

The General Assembly of North Carolina enacts:

PART I. FOUR-YEAR TERMS/STAGGER

SECTION 1.1. Section 2 of Article II of the Constitution of North Carolina reads as rewritten:

"Sec. 2. Number of Senators.

The Senate shall be composed of 50 Senators, biennially chosen by ballot. 25 of whom shall be chosen biennially by ballot in accordance with Section 8 of this Article."

SECTION 1.2. Section 4 of Article II of the Constitution of North Carolina reads as rewritten:

"Sec. 4. Number of Representatives.

The House of Representatives shall be composed of 120 Representatives, biennially chosen by ballot. 60 of whom shall be chosen biennially by ballot in accordance with Section 8 of this Article."

SECTION 1.3. Section 8 of Article II of the Constitution of North Carolina reads as rewritten:

"Sec. 8. Elections.

The election for members of the General Assembly shall be held for the respective districts in 1972 and 2016 and every two years thereafter, at the places and on the day prescribed by law-law as provided in this Section. The terms of members shall be staggered such that in 2016 the President Pro Tempore of the Senate shall choose 25 members in the Senate to remain in office for an additional two-year term and the Speaker of the House of Representatives shall choose 60 members in the House of Representatives to remain in office for an additional two-year term. The remaining 25 members in the Senate and the remaining 60 members in the House of Representatives who were not chosen to remain in office shall be chosen by ballot to serve four-year terms. In 2018, the members in the Senate and the members in the House of



1 Representatives who were chosen to remain in office in 2016 shall be elected to four-year
2 terms. In 2020, the members in the Senate and the members in the House of Representatives
3 who were chosen by ballot in 2016 shall be elected to four-year terms. Upon establishing
4 staggered terms, members of the General Assembly shall serve four-year terms thereafter."
5

6 **PART II. LIMITATION OF CONSECUTIVE TERMS**

7 **SECTION 2.1.** 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 No person shall be eligible for election to more than four consecutive terms as a member of
11 the Senate or as a member of the House of Representatives. If a person fills a vacancy, it shall
12 be considered as election to a term for purposes of this section if the person takes office during
13 the first two calendar years of the term. A person disqualified by this section from election to
14 the next succeeding term as a member of the Senate or as a member of the House of
15 Representatives may not fill a vacancy in the respective body in the succeeding term. Terms of
16 office beginning before January 1, 2017, shall not be considered for purposes of this section."
17

18 **PART III. REFERENDUM AND EFFECTIVE DATES**

19 **SECTION 3.1.** The amendments set out in Sections 1.1 through 2.1 of this act shall
20 be submitted to the qualified voters of the State at the general election in November 2016,
21 which election shall be conducted under the laws then governing elections in the State. Ballots,
22 voting systems, or both may be used in accordance with Chapter 163 of the General Statutes.
23 The question to be used in the voting systems and ballots shall be:

24 FOR AGAINST

25 Constitutional amendments making the term of members of the General Assembly
26 four years beginning with members elected in 2016; staggering the terms of members such that,
27 in 2016, 25 members in the Senate and 60 members in the House of Representatives remain in
28 office for additional two-year terms and the remaining 25 members in the Senate and 60
29 members in the House of Representatives are chosen by ballot to serve four-year terms; and
30 limiting members to four consecutive terms in the Senate or House of Representatives."

31 **SECTION 3.2.** If a majority of the votes cast on the question are in favor of the
32 amendments set out in Part I and Part II of this act, the State Board of Elections shall certify the
33 amendments to the Secretary of State. The amendments made by Part I of this act become
34 effective with the members elected in 2016. The amendment made by Part II of this act
35 becomes effective January 1, 2017. The Secretary of State shall enroll the amendments so
36 certified among the permanent records of that office.
37

38 **PART IV. EFFECTIVE DATE**

39 **SECTION 4.1.** This act is effective when it becomes law.