

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 1054  
Apr 30, 2020  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30552-NBy-71

Short Title: Automatic Extra Session/State of Emergency. (Public)

Sponsors: Representative Speciale.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE THE GOVERNOR TO CONVENE THE GENERAL ASSEMBLY IN EXTRA SESSION WITHIN FOURTEEN DAYS OF THE ISSUANCE OF A DECLARATION OF A STATEWIDE STATE OF EMERGENCY AND PROVIDE A PROCESS FOR THE GENERAL ASSEMBLY TO CONVENE UPON LEGISLATIVE CALL IN THE EVENT THE GOVERNOR DOES NOT PROVIDE A DATE TO CONVENE IN EXTRA SESSION.

The General Assembly of North Carolina enacts:

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

**"Sec. 11. Sessions.**

(1) Regular Sessions. The General Assembly shall meet in regular session in 1973 and every two years thereafter on the day prescribed by law. Neither house shall proceed upon public business unless a majority of all of its members are actually present.

(2) Extra sessions on legislative call. The President of the Senate and the Speaker of the House of Representatives shall convene the General Assembly in extra session by their joint proclamation as follows:

(a) ~~upon~~ Upon receipt by the President of the Senate of written requests therefor signed by three-fifths of all the members of the Senate and upon receipt by the Speaker of the House of Representatives of written requests therefor signed by three-fifths of all the members of the House of Representatives.

(b) If after a declaration of a statewide state of emergency by the Governor applicable to all counties in this State the Governor has not convened the General Assembly within 14 days of the declaration pursuant to Section 5(7) of Article III of this Constitution, the General Assembly may convene in extra session during the statewide state of emergency, upon receipt by the President of the Senate of written requests therefor signed by a majority of all the members of the Senate and upon receipt by the Speaker of the House of Representatives of written requests therefor signed by a majority of all the members of the House of Representatives."

**SECTION 1.(b)** Section 5 of Article III of the Constitution of North Carolina reads as rewritten:

**"Sec. 5. Duties of Governor.**

...

(7) Extra sessions. The Governor may, on extraordinary occasions, by and with the advice of the Council of State, convene the General Assembly in extra session by his proclamation,



