

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

FILED SENATE
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SENATE BILL DRS45436-MCy-263

Short Title: Const Amend: Legislative Terms/Compensation. (Public)

Sponsors: Senator Burgin (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO MODIFY THE
3 TERMS OF MEMBERS OF THE GENERAL ASSEMBLY, THE COMPENSATION OF
4 MEMBERS OF THE GENERAL ASSEMBLY, AND THE LENGTH OF THE SESSIONS
5 OF THE GENERAL ASSEMBLY.

6 The General Assembly of North Carolina enacts:

7
8 **PART I. COMPENSATION AND ALLOWANCE MODIFICATIONS**

9 **SECTION 1.(a)** Section 16 of Article II of the Constitution of North Carolina reads
10 as rewritten:

11 "**Sec. 16. ~~Compensation~~ Limitations on compensation and allowances.**

12 (1) The members ~~and officers~~ of the General Assembly shall receive compensation for
13 their services ~~the compensation and allowances prescribed by law. An increase in the~~
14 ~~compensation or allowances of members shall become effective at the beginning of the next~~
15 ~~regular session of the General Assembly following the session at which it was enacted.~~ that is
16 equal to the average annual starting salary of North Carolina public school teachers paid from
17 State funds as determined by the Superintendent of Public Instruction which pay shall begin on
18 July 1 of each fiscal year. The members of the General Assembly shall receive per diem,
19 subsistence, and travel reimbursement that is consistent with similar allowances for State
20 employees.

21 (2) The officers of the General Assembly who are not members of the General Assembly
22 shall receive for their services the compensation and allowances prescribed by law."

23 **SECTION 1.(b)** The amendment set out in subsection (a) of this section shall be
24 submitted to the qualified voters of the State at the statewide general election to be held on
25 November 3, 2026, which election shall be conducted in accordance with the laws governing
26 elections at that time. The question to be used in the voting systems and ballots shall be:

27 "[] FOR [] AGAINST

28 Constitutional amendment to set the annual salary for members of the General
29 Assembly in an amount that is equal to the average salary for classroom teachers and to set the
30 travel, subsistence, and per diem rates at the rates paid for State employees."

31 **SECTION 1.(c)** The State Board of Elections shall certify the results of the
32 referendum conducted under subsection (b) of this section. If a majority of votes cast on the
33 question are in favor of the amendment set out in subsection (a) of this section, the Secretary of
34 State shall enroll the amendment among the permanent records of that office. If a majority of
35 votes cast on the question are against the amendment set out in subsection (a) of this section, the
36 amendment shall have no effect.



* D R S 4 5 4 3 6 - M C Y - 2 6 3 *

1 "(1) Election and term. The Governor and Lieutenant Governor shall be elected by the
2 qualified voters of the State in 1972 and every four years thereafter, at the same time and places
3 as members of the ~~General Assembly Senate~~ are elected. Their term of office shall be four years
4 and shall commence on the first day of January next after their election and continue until their
5 successors are elected and qualified."

6 **SECTION 3.(d)** Section 7 of Article III of the Constitution of North Carolina reads
7 as rewritten:

8 **"Sec. 7. Other elective officers.**

9 (1) Officers. A Secretary of State, an Auditor, a Treasurer, a Superintendent of Public
10 Instruction, an Attorney General, a Commissioner of Agriculture, a Commissioner of Labor, and
11 a Commissioner of Insurance shall be elected by the qualified voters of the State in 1972 and
12 every four years thereafter, at the same time and places as members of the ~~General Assembly~~
13 Senate are elected. Their term of office shall be four years and shall commence on the first day
14 of January next after their election and continue until their successors are elected and qualified.

15 ...

16 (3) Vacancies. If the office of any of these officers is vacated by death, resignation, or
17 otherwise, it shall be the duty of the Governor to appoint another to serve until his successor is
18 elected and qualified. Every such vacancy shall be filled by election at the first election for
19 members of the ~~General Assembly House of Representatives~~ that occurs more than 60 days after
20 the vacancy has taken place, and the person chosen shall hold the office for the remainder of the
21 unexpired term fixed in this Section. When a vacancy occurs in the office of any of the officers
22 named in this Section and the term expires on the first day of January succeeding the next election
23 for members of the ~~General Assembly, House of Representatives,~~ the Governor shall appoint to
24 fill the vacancy for the unexpired term of the office.

25 "

26 **SECTION 3.(e)** Section 18(1) of Article IV of the Constitution of North Carolina
27 reads as rewritten:

28 "(1) District Attorneys. The General Assembly shall, from time to time, divide the State
29 into a convenient number of prosecutorial districts, for each of which a District Attorney shall be
30 chosen for a term of four years by the qualified voters thereof, at the same time and places as
31 members of the ~~General Assembly Senate~~ are elected. Only persons duly authorized to practice
32 law in the courts of this State shall be eligible for election or appointment as a District Attorney.
33 The District Attorney shall advise the officers of justice in his district, be responsible for the
34 prosecution on behalf of the State of all criminal actions in the Superior Courts of his district,
35 perform such duties related to appeals therefrom as the Attorney General may require, and
36 perform such other duties as the General Assembly may prescribe."

37 **SECTION 3.(f)** Section 19 of Article IV of the Constitution of North Carolina reads
38 as rewritten:

39 **"Sec. 19. Vacancies.**

40 Unless otherwise provided in this Article, all vacancies occurring in the offices provided for
41 by this Article shall be filled by appointment of the Governor, and the appointees shall hold their
42 places until the next election for members of the ~~General Assembly House of Representatives~~
43 that is held more than 60 days after the vacancy occurs, when elections shall be held to fill the
44 offices. When the unexpired term of any of the offices named in this Article of the Constitution
45 in which a vacancy has occurred, and in which it is herein provided that the Governor shall fill
46 the vacancy, expires on the first day of January succeeding the next election for members of the
47 ~~General Assembly, House of Representatives,~~ the Governor shall appoint to fill that vacancy for
48 the unexpired term of the office. If any person elected or appointed to any of these offices shall
49 fail to qualify, the office shall be appointed to, held and filled as provided in case of vacancies
50 occurring therein. All incumbents of these offices shall hold until their successors are qualified."

1 Constitutional amendment limiting the length of regular legislative sessions to 120
2 calendar days in odd-numbered years and 90 calendar days in even-numbered years."

3 **SECTION 4.(c)** The State Board of Elections shall certify the results of the
4 referendum conducted under subsection (b) of this section. If a majority of votes cast on the
5 question are in favor of the amendment set out in subsection (a) of this section, the Secretary of
6 State shall enroll the amendment among the permanent records of that office. If a majority of
7 votes cast on the question are against the amendment set out in subsection (a) of this section, the
8 amendment shall have no effect.

9 **SECTION 4.(d)** If the certification from the State Board of Elections under
10 subsection (c) of this section reflects that a majority of votes cast on the question are in favor of
11 the amendment set out in subsection (a) of this section, the amendment set out in subsection (a)
12 of this section is effective upon certification.

13 **PART V. SUSPENSION OF PAY WITHOUT BUDGET PASSAGE**

14 **SECTION 5.(a)** Section 16 of Article II of the Constitution of North Carolina reads
15 as rewritten:

16 **"Sec. 16. Compensation and allowances.**

17 The members and officers of the General Assembly shall receive for their services the
18 compensation and allowances prescribed by law. An increase in the compensation or allowances
19 of members shall become effective at the beginning of the next regular session of the General
20 Assembly following the session at which it was enacted. If the General Assembly fails to ratify
21 by June 30 a comprehensive budget of the anticipated revenue and proposed expenditures of the
22 State for the ensuing fiscal period, the compensation and allowances of the members of the
23 General Assembly from July 1 until the earlier of the ratification of the comprehensive budget or
24 the commencement of the next regular session shall be forfeited."

25 **SECTION 5.(b)** The amendment set out in subsection (a) of this section shall be
26 submitted to the qualified voters of the State at the statewide general election to be held on
27 November 3, 2026, which election shall be conducted in accordance with the laws governing
28 elections at that time. The question to be used in the voting systems and ballots shall be:

29 "[] FOR [] AGAINST

30
31 Constitutional amendment to disallow the annual salary and other allowances for
32 members of the General Assembly if the General Assembly has not passed a budget by June 30
33 of a year for a period beginning July 1 and continuing until a budget is ratified or the term of the
34 Legislature ends, whichever occurs first."

35 **SECTION 5.(c)** The State Board of Elections shall certify the results of the
36 referendum conducted under subsection (b) of this section. If a majority of votes cast on the
37 question are in favor of the amendment set out in subsection (a) of this section, the Secretary of
38 State shall enroll the amendment among the permanent records of that office. If a majority of
39 votes cast on the question are against the amendment set out in subsection (a) of this section, the
40 amendment shall have no effect.

41 **SECTION 5.(d)** If the certification from the State Board of Elections under
42 subsection (c) of this section reflects that a majority of votes cast on the question are in favor of
43 the amendment set out in subsection (a) of this section, the amendment set out in subsection (a)
44 of this section is effective upon certification.

45 **PART VI. EFFECTIVE DATE**

46 **SECTION 6.** This act is effective when it becomes law.
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