

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 827
HOUSE BILL 562

1 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR
2 A REASSIGNMENT OF THE ESCHEATS.

3
4 The General Assembly of North Carolina do enact:

5
6 **Section 1.** The Constitution of North Carolina, as revised and amended by a
7 revision and amendment submitted to the qualified voters by A Bill To Be Entitled An Act to
8 Revise and Amend the Constitution of North Carolina, H.B. 231, enacted as Chapter 1258 of
9 the Session Laws of 1969, is amended by rewriting Article IX, Sec. 10, thereof to read as
10 follows:

11 "Sec. 10. Escheats.

12 "(1) Escheats prior to July 1, 1971. All property that prior to July 1, 1971,
13 accrued to the State from escheats, unclaimed dividends, or distributive
14 shares of the estates of deceased persons shall be appropriated to the use of
15 The University of North Carolina.

16 "(2) Escheats after June 30, 1971. All property that, after June 30, 1971, shall
17 accrue to the State from escheats, unclaimed dividends, or distributive shares
18 of the estates of deceased persons shall be used to aid worthy and needy
19 students who are residents of this State and are enrolled in public institutions
20 of higher education in this State. The method, amount, and type of
21 distribution shall be prescribed by law."

22 **Sec. 2.** The Constitution of North Carolina, as that document read on January 1,
23 1969, is amended by rewriting Article IX, Sec. 7, thereof to read as follows:

24 "Sec. 7. Benefits of the University; escheats.

25 "(1) Benefits. The General Assembly shall provide that the benefits of The
26 University of North Carolina, as far as practicable, be extended to the youth
27 of the State free of expense for tuition.

28 "(2) Escheats prior to July 1, 1971. All property that prior to July 1, 1971,
29 accrued to the State from escheats, unclaimed dividends, or distributive
30 shares of the estates of deceased persons shall be appropriated to the use of
31 The University of North Carolina.

32 "(3) Escheats after June 30, 1971. All property that, after June 30, 1971, shall
33 accrue to the State from escheats, unclaimed dividends, or distributive shares
34 of the estates of deceased persons shall be used to aid worthy and needy
35 students who are residents of this State and are enrolled in public institutions
36 of higher education in this State. The method, amount, and type of
37 distribution shall be prescribed by law."

38 **Sec. 3.** The amendment set out in Sections 1 and 2 of this Act shall be submitted to
39 the qualified voters of the State at the next general election. That election shall be conducted
40 under the laws then governing elections in this State.

41 **Sec. 4.** At that election, each qualified voter desiring to vote shall be provided a
42 ballot on which shall be printed the following:

"□ FOR constitutional amendment providing that after June 30, 1971, the escheats shall be used to aid North Carolina residents enrolled in any public institution of higher education in this State.

"□ AGAINST constitutional amendment providing that after June 30, 1971, the escheats shall be used to aid North Carolina residents enrolled in any public institution of higher education in this State."

Those qualified voters favoring the amendment set out in Sections 1 and 2 of this Act shall vote by marking an X or a check mark in the square beside the statement beginning "FOR", and those qualified voters opposed to that amendment shall vote by making an X or a check in the square beside the statement beginning "AGAINST".

Notwithstanding the foregoing provisions of this Section, voting machines may be used in accordance with rules and regulations prescribed by the State Board of Elections.

Sec. 5. If a majority of the votes cast thereon are in favor of the amendment set out in Sections 1 and 2 of this Act, and if a majority of the votes cast on the revision and amendment submitted to the qualified voters by A Bill To Be Entitled an Act to Revise and Amend the Constitution of North Carolina are in favor of that revision and amendment, then the Governor shall certify the amendment set out in Section 1 of this Act to the Secretary of State, who shall enroll that amendment so certified among the permanent records of his office, and the amendment shall become effective on July 1 next after its ratification by the voters.

Sec. 6. If a majority of the votes cast thereon are in favor of the amendment set out in Sections 1 and 2 of this Act, and if a majority of the votes cast on the revision and amendment submitted to the qualified voters by A Bill To Be Entitled an Act to Revise and Amend the Constitution of North Carolina are against that revision and amendment, then the Governor shall certify the amendment set out in Section 2 of this Act to the Secretary of State, who shall enroll that amendment so certified among the permanent records of his office, and the amendment shall become effective on July 1 next after its ratification by the voters.

Sec. 7. All laws and clauses of laws in conflict with this Act are repealed.

Sec. 8. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 13th day of June, 1969.