

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH10042-LBx-27A (1/27)

Short Title: Recall Elections.

(Public)

Sponsors: Representative Blust.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW
RECALL ELECTIONS FOR ANY OFFICE ESTABLISHED BY THE
CONSTITUTION.

The General Assembly of North Carolina enacts:

SECTION 1. Article VI of the Constitution of North Carolina is amended by
adding a new section to read:

"Sec. 11. Recall.

Recall is the removal of a person from office by the qualified voters. A person
holding any elective office whether established by this Constitution or by law is subject
to recall from office by the qualified voters as provided by this section.

Before any recall election is held, qualified voters of the area which elected the
officer, equal in number to at least twenty-five percent (25%) of the registered voters,
must sign a petition calling for the recall from office of the officer.

The General Assembly shall provide by law for the manner of circulation and
verification of the petitions and of holding the recall election.

No petition to recall an officer may be filed within three months of the date the
person was elected nor during the six months before the expiration of the officer's term.
No more than one election may be held to recall an officer within a single term of office
of that officer."

SECTION 2. The amendment set out in Section 1 of this act shall be
submitted to the qualified voters of the State at the general election in November 2004,
which election shall be conducted under the laws then governing elections in the State.
Ballots, voting systems, or both may be used in accordance with Chapter 163 of the
General Statutes. The question to be used in the voting systems and ballots shall be:

"[] FOR [] AGAINST

1 Constitutional amendment allowing the voters to recall from office any
2 person holding an office established by the Constitution of North Carolina."

3 **SECTION 3.** If a majority of the votes cast on the question are in favor of
4 the amendment set out in Section 1 of this act, the State Board of Elections shall certify
5 the amendment to the Secretary of State. The amendment becomes effective upon this
6 certification. The Secretary of State shall enroll the amendment so certified among the
7 permanent records of that office.

8 **SECTION 4.** This act is effective when it becomes law.