

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 1057

Short Title: Recall Elections.

(Public)

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Sponsors: Representatives Blust; and Capps.

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Referred to: Election Law and Campaign Finance Reform.

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April 10, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW  
3 RECALL ELECTIONS FOR ANY OFFICE ESTABLISHED BY THE  
4 CONSTITUTION.

5 The General Assembly of North Carolina enacts:

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

8 "**Sec. 11. Recall.**

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

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

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

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

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

26 "[ ] FOR [ ] AGAINST

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

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

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