

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

SESSION LAW 2010-49
HOUSE BILL 1307

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2 of Article VII of the Constitution of North Carolina reads as rewritten:

"Sec. 2. Sheriffs.

In each county a Sheriff shall be elected by the qualified voters thereof at the same time and places as members of the General Assembly are elected and shall hold his office for a period of four years, subject to removal for cause as provided by law. No person is eligible to serve as Sheriff if that person has been convicted of a felony against this State, the United States, or another state, whether or not that person has been restored to the rights of citizenship in the manner prescribed by law. Convicted of a felony includes the entry of a plea of guilty; a verdict or finding of guilt by a jury, judge, magistrate, or other adjudicating body, tribunal, or official, either civilian or military; or a plea of no contest, nolo contendere, or the equivalent."

SECTION 2. The amendment set out in this act shall be submitted to the qualified voters of the State at the statewide general election on November 2, 2010, 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

Constitutional amendment providing that no person convicted of a felony may serve as Sheriff."

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

In the General Assembly read three times and ratified this the 1st day of July, 2010.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

