

GENERAL ASSEMBLY OF NORTH CAROLINA
SECOND EXTRA SESSION 2018

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HOUSE BILL 5

Short Title: Election Notice & Extra Session Requirements. (Public)

Sponsors: Representative W. Richardson.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to:

August 24, 2018

A BILL TO BE ENTITLED

AN ACT TO AMEND THE ELECTION LAWS OF THE STATE TO INCREASE THE AMOUNT OF NOTICE GIVEN BY THE COUNTY BOARD OF ELECTIONS FOR AN ELECTION, TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO INCREASE THE NUMBER OF MEMBERS OF THE GENERAL ASSEMBLY REQUIRED TO SUBMIT WRITTEN REQUESTS TO CONVENE AN EXTRA SESSION OF THE GENERAL ASSEMBLY, AND TO REQUIRE ADVANCED NOTICE OF THE EXTRA SESSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163A-769(8) reads as rewritten:

"(8) To provide for the issuance of all notices, advertisements, and publications concerning elections required by law. If the election is on a State bond issue, an amendment to the Constitution, or approval of an act submitted to the voters of the State, the State Board shall reimburse the county boards of elections for their reasonable additional costs in placing such notices, advertisements, and publications. In addition, the county board of elections shall give notice at least ~~20~~30 days prior to the date on which the registration books or records are closed that there will be a primary, general or special election, the date on which it will be held, and the hours the voting places will be open for voting in that election. The notice also shall describe the nature and type of election, and the issues, if any, to be submitted to the voters at that election. Notice shall be given by advertisement at least once weekly during the ~~20-day~~30-day period in a newspaper having general circulation in the county and by posting a copy of the notice at the courthouse door. Notice may additionally be made on a radio or television station or both, but such notice shall be in addition to the newspaper and other required notice. This subdivision shall not apply in the case of bond elections called under the provisions of Chapter ~~159~~159 of the General Statutes."

SECTION 2. Subsection (2) of Section 11 of Article II of the Constitution of North Carolina reads as rewritten:

"(2) Extra sessions on legislative call. The President of the Senate and the Speaker of the House of Representatives shall convene the General Assembly in extra session by their joint proclamation upon receipt by the President of the Senate of written requests therefor signed by ~~three-fifths~~three-fourths of all the members of the Senate and upon receipt by the Speaker of the House of Representatives of written requests therefor signed by ~~three-fifths~~three-fourths of all



1 the members of the House of Representatives. Except where an emergency immediately
2 threatening the public health or safety or the economic well-being of the State exists, as
3 conclusively determined by both the President of the Senate and the Speaker of the House of
4 Representatives, the date of convening the General Assembly in extra session shall be no earlier
5 than 10 days from the joint proclamation required under this subsection. Within one day of the
6 joint proclamation, the General Assembly shall provide citizens of the State with notice by
7 publication of the joint proclamation."

8 **SECTION 3.** The amendment set out in Section 2 of this act shall be submitted to
9 the qualified voters of the State at a statewide general election to be held in November of 2018,
10 which election shall be conducted under the laws then governing elections in the State. Ballots,
11 voting systems, or both may be used in accordance with Chapter 163A of the General Statutes.
12 The question to be used in the voting systems and ballots shall be:

13 " FOR AGAINST

14 Constitutional amendment to increase the number of members of the General
15 Assembly required to submit written requests to convene an extra session of the General
16 Assembly from three-fifths to three-fourths and to require advanced notice prior to convening an
17 extra session of the General Assembly."

18 **SECTION 4.** If a majority of votes cast on the question are in favor of the amendment
19 set out in Section 2 of this act, the Bipartisan State Board of Elections and Ethics Enforcement
20 shall certify the amendment to the Secretary of State. The Secretary of State shall enroll the
21 amendment so certified among the permanent records of that office.

22 **SECTION 5.** The amendment set out in Section 2 of this act is effective upon
23 certification and applies to extra sessions convened on or after that date.

24 **SECTION 6.** Section 1 of this act is effective when it becomes law and applies to
25 elections held on or after that date. Except as otherwise provided, the remainder of this act is
26 effective when it becomes law.