

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1033

Short Title: Extra Session/Statewide State of Emergency. (Public)

Sponsors: Representatives Kidwell, Hanig, Pittman, and Carter (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 28, 2020

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE THE
GENERAL ASSEMBLY TO CONVENE AN EXTRA SESSION UPON A
DECLARATION OF A STATEWIDE STATE OF EMERGENCY BY THE GOVERNOR.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 11 of Article II of the Constitution of North Carolina reads
as rewritten:

"Sec. 11. Sessions.

(1) Regular Sessions. The General Assembly shall meet in regular session in 1973 and every two years thereafter on the day prescribed by law. Neither house shall proceed upon public business unless a majority of all of its members are actually present.

(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 as follows:

(a) ~~upon~~ Upon receipt by the President of the Senate of written requests therefor signed by three-fifths 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 of all the members of the House of Representatives.

(b) Upon a declaration of a statewide state of emergency by the Governor applicable to all counties in this State if, as of the date of the declaration, the General Assembly has adjourned for more than 15 days jointly as provided under Section 20 of Article II of this Constitution and the General Assembly is not scheduled to reconvene in regular session within 15 days of the date of the declaration."

SECTION 1.(b) The amendment set out in this section shall be submitted to the qualified voters of the State at a statewide election to be held on the same date as the general election in November of 2020, 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 the General Assembly shall convene in extra session upon the declaration of a statewide state of emergency by the Governor."

SECTION 1.(c) If a majority of votes cast on the question are in favor of the amendment set out in this act, the State Board of Elections shall certify the amendment to the



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1 Secretary of State, and the amendment becomes effective January 1, 2021. The Secretary of State
2 shall enroll the amendment so certified among the permanent records of that office.
3 **SECTION 2.** Section 1 of this act becomes effective only upon the certification and
4 enrollment of the amendment upon a majority of votes cast in favor of the amendment set out in
5 Section 1 of this act.
6 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
7 law.