

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 28*

Short Title: Session Limits.

(Public)

Sponsors: Representatives McHenry, Rapp (Primary Sponsors); B. Allen, Barnhart, Blust, Clary, Daughtridge, England, Fox, Goforth, Hill, Justice, LaRoque, Lewis, Miner, Moore, Munford, Pate, Preston, Rayfield, Rhodes, Setzer, Stiller, Walend, and C. Wilson.

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

February 17, 2003

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE
2 LENGTH OF LEGISLATIVE SESSIONS, AND TO PROVIDE FOR AN
3 EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR
4 ORGANIZATION.
5

6 The General Assembly of North Carolina enacts:

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

9 "(1) Regular sessions. The General Assembly shall meet in regular session in 1973
10 and every two years thereafter on the day prescribed by law. Beginning with the regular
11 session in 2005, during an odd-numbered year the General Assembly shall remain in
12 regular session for no more than 135 calendar days, except that this period may be
13 extended by joint resolution once per regular session for not more than 10 days. The
14 month of December in each even-numbered year is also included in the calculation. If
15 the General Assembly upon convening of the regular session meets for not more than
16 two consecutive calendar days and then adjourns for not less than 30 days, that period of
17 adjournment shall be excluded from the 135 days. If the regular session meets in even-
18 numbered years, the General Assembly shall remain in regular session for no more than
19 60 calendar days, except that this period may be extended by joint resolution once per
20 regular session for not more than 10 days, but the month of December in each even-
21 numbered year is excluded from the calculation. Any reconvened session called under
22 Section 5 of Article III of this Constitution shall be excluded from the calculations of
23 this section. Neither house shall proceed upon public business unless a majority of all of
24 its members are actually present. No valid action, other than a resolution of
25 adjournment, may be taken by that regular session of the General Assembly after the
26 time limits prescribed in this section have expired."

1 **SECTION 2.** Section 9 of Article II of the North Carolina Constitution reads
2 as rewritten:

3 **"Sec. 9. Term of office.**

4 The term of office of Senators and Representatives shall commence on the first day
5 of ~~January~~ Wednesday in December next after their election."

6 **SECTION 3.** The amendments set out in Sections 1 and 2 of this act shall be
7 submitted to the qualified voters of the State at the next statewide election, primary or
8 otherwise, which election shall be conducted under the laws then governing elections in
9 the State. Ballots, voting systems, or both may be used in accordance with Chapter 163
10 of the General Statutes. The question to be used in the voting systems and ballots shall
11 be:

12 **"[] FOR [] AGAINST**

13 Constitutional amendment limiting the length of the legislative session and
14 making conforming amendments concerning the beginning of the term."

15 **SECTION 4.** If a majority of votes cast on the question are in favor of the
16 amendments set out in Sections 1 and 2 of this act, the State Board of Elections shall
17 certify the amendments to the Secretary of State whereupon the amendments shall
18 become effective. The Secretary of State shall enroll the amendments so certified
19 among the permanent records of that office.

20 **SECTION 5.** G.S. 120-11.1 reads as rewritten:

21 **"§ 120-11.1. Time of meeting.**

22 The regular session of the Senate and House of Representatives shall be held
23 biennially beginning at 12:00 noon on the ~~third Wednesday after the second Monday in~~
24 January first Wednesday in December next after their election."

25 **SECTION 6.** Section 5 of this act shall take effect only upon approval of the
26 voters of the constitutional amendments set forth in Sections 1 and 2 of this act. If the
27 constitutional amendments proposed in Sections 1 and 2 of this act are approved by the
28 voters, Section 5 of this act shall become effective at the same time as the constitutional
29 amendments.

30 **SECTION 7.** This act is effective when it becomes law.