GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 823
Committee Substitute Favorable 5/24/11
Third Edition Engrossed 5/26/11
PROPOSED SENATE COMMITTEE SUBSTITUTE H823-PCS30418-ST-80

Short Title: Speaker/Pro Tem Term Limits. (Public)

Sponsors:

Referred to:

April 7, 2011

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO SERVE FOR FOUR CONSECUTIVE TWO-YEAR TERMS IN THOSE OFFICES.

The General Assembly of North Carolina enacts:

SECTION 1. Section 15 of Article II of the North Carolina Constitution reads as rewritten:

"**Sec. 15. Officers of the House of Representatives.**

(1) The House of Representatives shall elect its Speaker and other officers.

(2) No person may serve as Speaker in more than four consecutive General Assemblies. The initial convening of a regular session of the General Assembly after the terms of members commence shall constitute a new General Assembly for the purpose of this Section. Only service as Speaker during any part of an odd-numbered year constitutes service as Speaker for that General Assembly for the purpose of this Section. Service as Speaker in the 2011 and subsequent regular sessions of the General Assembly shall be considered in applying the limit established by this subsection."

SECTION 2. Section 14 of Article II of the North Carolina Constitution reads as rewritten:

"**Sec. 14. Other officers of the Senate**.

(1) President Pro Tempore – succession to presidency. The Senate shall elect from its membership a President Pro Tempore, who shall become President of the Senate upon the failure of the Lieutenant Governor-elect to qualify, or upon succession by the Lieutenant Governor to the office of Governor, or upon the death, resignation, or removal from office of the President of the Senate, and who shall serve until the expiration of his term of office as Senator.

(1a) No person may serve as President Pro Tempore in more than four consecutive General Assemblies. The initial convening of a regular session of the General Assembly after the terms of members commence shall constitute a new General Assembly for the purpose of this Section. Only service as President Pro Tempore during any part of an odd-numbered year constitutes service as President Pro Tempore for that General Assembly for the purpose of this

Section. Service as President Pro Tempore in the 2011 and subsequent regular sessions of the General Assembly shall be considered in applying the limit established by this subsection.

(2) President Pro Tempore – temporary succession. During the physical or mental incapacity of the President of the Senate to perform the duties of his office, or during the absence of the President of the Senate, the President Pro Tempore shall preside over the Senate.

(3) Other officers. The Senate shall elect its other officers."

SECTION 3. The amendments set out in Sections 1 and 2 of this act shall be submitted to the qualified voters of the State at the general election on November 6, 2012, 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

Term Limits: Constitutional amendments providing that no person shall serve as Speaker of the House of Representatives for more than four consecutive terms in that office and no person shall serve as President Pro Tempore of the Senate for more than four consecutive terms in that office."

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

SECTION 5. This act is effective when it becomes law.