

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 50

Short Title: Recall Elections.

(Public)

Sponsors: Representatives Blust; Current, Hilton, Justice, and Moore.

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

February 4, 2009

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW
RECALL ELECTIONS FOR ANY OFFICE ESTABLISHED BY THE CONSTITUTION.

The General Assembly of North Carolina enacts:

SECTION 1. Article VI of the Constitution of North Carolina is amended by
adding a new section to read:

"Sec. 11. Recall.

Recall is the removal of a person from office by the qualified voters. A person holding any
elective office established by this Constitution is subject to recall from office by the qualified
voters as provided by this section.

Before any recall election is held, qualified voters of the area which elected the officer,
equal in number to at least twenty-five percent of the registered voters, must sign a petition
calling for the recall from office of the officer.

The General Assembly shall provide by law for the manner of circulation and verification
of the petitions and of holding the recall election.

No petition to recall an officer may be filed within six months before the expiration of the
officer's term. No more than one election may be held to recall an officer within a single term
of office of that officer."

SECTION 2. The amendment set out in Section 1 of this act shall be submitted to
the qualified voters of the State at the general election in November 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 allowing the voters to recall from office any person
holding an office established by the Constitution of North Carolina."

SECTION 3. If a majority of the votes cast on the question are in favor of the
amendment set out in Section 1 of this act, the State Board of Elections shall certify the
amendment to the Secretary of State. The amendment becomes effective upon this certification.
The Secretary of State shall enroll the amendment so certified among the permanent records of
that office.

SECTION 4. This act is effective when it becomes law.

