

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 928

Short Title: Taxpayer Protection Amendment.

(Public)

Sponsors: Representatives Hardy; Aldridge, Allred, Baker, Barbee, Berry, Buchanan, Cansler, Capps, Carpenter, Culp, Davis, Dickson, Dockham, Eddins, Ellis, Gulley, Hall, Howard, Justus, Kiser, McComas, Miner, Morris, Nichols, Rayfield, Shubert, Starnes, Tallent, Watson, C. Wilson, and G. Wilson.

Referred to: Finance.

April 14, 1997

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE
A THREE-FIFTHS VOTE FOR THE GENERAL ASSEMBLY TO LEVY TAXES.

The General Assembly of North Carolina enacts:

Section 1. Section 23 of Article II of the North Carolina Constitution reads as
rewritten:

"Sec. 23. Revenue bills.

(1) No laws shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose ~~shall have~~ has been read three ~~several~~ separate times in each house of the General Assembly and passed three ~~several~~ separate readings, which readings ~~shall have been~~ were on three different days, and ~~shall have~~ has been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill ~~shall have~~ been entered on the journal.

1 (2) No law shall be enacted to impose any tax upon the people of the State, or to
2 allow the counties, cities, or towns to do so, except by an act adopted by a vote of three-
3 fifths of the members of each house."

4 Section 2. The amendment set out in Section 1 of this act shall be submitted to
5 the qualified voters of the State at the next statewide election or statewide primary
6 election, whichever comes first. Any other primary, election, or referendum validly
7 called or scheduled by law at the time the election on the bond questions provided for in
8 this section is held, may be held as called or scheduled. The election shall be conducted
9 under the laws then governing elections in the State. Ballots, voting systems, or both may
10 be used in accordance with Chapter 163 of the General Statutes. The question to be used
11 in the voting systems and ballots shall be:

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

13 Constitutional amendment requiring at least a three-fifths vote of each house of
14 the General Assembly to enact a law imposing a new tax, increasing an existing tax, or
15 authorizing a local government to impose or increase a tax."

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

21 Section 4. This act is effective when it becomes law.