

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 1959*

Short Title: No Felon as Sheriff. (Public)

Sponsors: Representatives Ingle, Randleman, Moore, Guice (Primary Sponsors); M. Alexander, Avila, Barnhart, Blackwood, Blust, Boles, Bordsen, Brown, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Daughtry, Dockham, Dollar, England, Faison, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Gulley, Haire, Harrison, Hill, Holliman, Holloway, Howard, Hurley, Iler, Jackson, Johnson, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Martin, May, McGee, McLawhorn, Neumann, Parmon, Pierce, Rhyne, Sager, Setzer, Spear, Stam, Starnes, Steen, Stevens, Tarleton, Tillis, Tolson, E. Warren, R. Warren, Weiss, West, Wiley, Wilkins, Williams, Womble, and Wray.

Referred to: Judiciary II, if favorable, Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House.

May 25, 2010

A BILL TO BE ENTITLED

1
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE
3 THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED
4 SHERIFF.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 2 of Article VII of the Constitution of North Carolina reads
7 as rewritten:

8 "**Sec. 2. Sheriffs.**

9 In each county a Sheriff shall be elected by the qualified voters thereof at the same time and
10 places as members of the General Assembly are elected and shall hold his office for a period of
11 four years, subject to removal for cause as provided by law. No person is eligible to serve as
12 Sheriff if that person has been adjudged guilty of any felony against this State or the United
13 States, or of a felony in another state that also would be a felony if it had been committed in
14 this State, whether or not that person has been restored to the rights of citizenship in the manner
15 prescribed by law."

16 **SECTION 2.** The amendment set out in this act shall be submitted to the qualified
17 voters of the State at the statewide general election on November 2, 2010, which election shall
18 be conducted under the laws then governing elections in the State. Ballots, voting systems, or
19 both may be used in accordance with Chapter 163 of the General Statutes. The question to be
20 used in the voting systems and ballots shall be:

21 "[] FOR [] AGAINST

22 Constitutional amendment providing that no person convicted of a felony may serve
23 as sheriff."

24 **SECTION 3.** If a majority of votes cast on the question are in favor of the
25 constitutional amendment set out in this act, the State Board of Elections shall certify the
26 amendment to the Secretary of State. The constitutional amendment is effective upon



1 certification. The Secretary of State shall enroll the amendments so certified among the
2 permanent records of that office.