

GENERAL ASSEMBLY OF NORTH CAROLINA
SECOND EXTRA SESSION 2018

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HOUSE BILL 4

Short Title: Bipartisan Board of Ethics and Elections. (Public)

Sponsors: Representative Lewis.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Calendar 8/24/2018

August 24, 2018

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A
3 BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.

4 The General Assembly of North Carolina enacts:

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

7 "**Sec. 11. Bipartisan State Board of Ethics and Elections Enforcement.**

8 (1) The Bipartisan State Board of Ethics and Elections Enforcement shall be established
9 to administer ethics and elections law, as prescribed by general law. The Bipartisan State Board
10 of Ethics and Elections Enforcement shall be located within the Executive Branch for
11 administrative purposes only and shall exercise all of its powers independently of the Executive
12 Branch.

13 (2) The Bipartisan State Board of Ethics and Elections Enforcement shall consist of eight
14 members, each serving a term of four years, who shall be qualified voters of this State. Of the
15 total membership, no more than four members may be registered with the same political
16 affiliation, if defined by general law. Appointments shall be made by the Governor as follows:

17 (a) Four members upon the recommendation of the leader, as prescribed by
18 general law, of each of the two Senate political party caucuses with the most
19 members. The Governor shall not appoint more than two members from the
20 recommendations of each leader.

21 (b) Four members upon the recommendation of the leader, as prescribed by
22 general law, of each of the two House of Representatives political party
23 caucuses with the most members. The Governor shall not appoint more than
24 two members from the recommendations of each leader.

25 (3) The General Assembly shall enact general laws governing how appointments shall be
26 made if the Governor fails to appoint a member within 10 days of receiving recommendations as
27 required by this section."

28 **SECTION 2.** The amendment set out in Section 1 of this act shall be submitted to
29 the qualified voters of the State at a statewide general election to be held in November of 2018,
30 which election shall be conducted under the laws then governing elections in the State. Ballots,
31 voting systems, or both may be used in accordance with Chapter 163A of the General Statutes.
32 The question to be used in the voting systems and ballots shall be:

33 "[] FOR [] AGAINST

34 Constitutional amendment to establish an eight-member Bipartisan Board of Ethics
35 and Elections Enforcement in the Constitution to administer ethics and elections law."



1 **SECTION 3.** If a majority of the votes cast on the question are in favor of the
2 amendment set out in Section 1 of this act, the Bipartisan State Board of Elections and Ethics
3 Enforcement shall certify the amendment to the Secretary of State, who shall enroll the
4 amendment so certified among the permanent records of that office.

5 **SECTION 4.** If the amendment is approved by the qualified voters as provided in
6 this section, Section 1 becomes effective March 1, 2019.

7 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
8 law.