

**GENERAL ASSEMBLY OF NORTH CAROLINA
SECOND EXTRA SESSION 2018**

**SESSION LAW 2018-133
HOUSE BILL 4**

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A
BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

SECTION 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at a statewide general election to be held in November of 2018, 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 163A of the General Statutes. The question to be used in the voting systems and ballots shall be:

" [] FOR [] AGAINST

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

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 Bipartisan State Board of Elections and Ethics Enforcement shall certify the amendment to the Secretary of State, who shall enroll the amendment so certified among the permanent records of that office.

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



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SECTION 5. Except as otherwise provided, this act is effective when it becomes
In the General Assembly read three times and ratified this the 27th day of August,

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives