

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**SENATE BILL 351**

Short Title: No Felon as Sheriff. (Public)

Sponsors: Senators Bingham; Allran, Apodaca, Berger of Rockingham, Blake, Boseman, Brock, Brown, Brunstetter, Davis, Dorsett, East, Forrester, Goss, Hartsell, Hoyle, Hunt, Jacumin, Kinnaird, Preston, Queen, Rouzer, and Tillman.

Referred to: Ways & Means.

March 2, 2009

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

**"Sec. 2. Sheriffs.**

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

**SECTION 2.** The amendment set out in this act shall be submitted to the qualified voters of the State at the statewide general election on November 2, 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 providing that no person convicted of a felony may serve as sheriff."

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

