

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE DRS15136-LBx-28 (1/8)

Short Title: People's Veto.

(Public)

Sponsors: Senator Berger of Rockingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A PEOPLE'S VETO THAT ALLOWS ACTS OF THE  
GENERAL ASSEMBLY TO BE SUSPENDED UNTIL APPROVED BY THE VOTERS  
IN A REFERENDUM.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article II of the North Carolina Constitution is amended by adding a  
new sections to read:

**"Sec. 25. Acts become effective in 90 days after recess; exception; emergency bill defined.**

No act or joint resolution of the General Assembly, except such orders or resolutions as pertain solely to facilitating the performance of the business of the General Assembly, of either branch, or of any committee or officer thereof, or appropriate money therefor or for the payment of salaries fixed by law, shall take effect until 90 days after the adjournment of the General Assembly, either sine die or for more than 10 days, in which it was passed, unless in case of emergency, which with the facts constituting the emergency shall be expressed in the preamble of the act, the General Assembly shall, by a vote of 2/3 of all the members elected to each House, otherwise direct. An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health, or safety; and shall not include (i) an infringement of the rights of municipalities, (ii) a franchise or a license to a corporation or an individual to extend longer than one year, or (iii) provision for the sale or purchase or renting for more than five years of real estate.

**"Sec. 26. Proceedings for people's veto.**

(1) Petition procedure; petition for people's veto. Upon written petition of registered voters, the number of which shall not be less than ten percent (10%) of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petition, and addressed to the Governor and filed in the office of the Secretary of State by the hour of 5:00 P.M., on or before the 90th day after the adjournment of the General Assembly, either sine die or for more than 10 days, or if such 90th day is a Saturday, a Sunday, or a legal holiday, by the hour of 5:00 P.M., on the preceding day which is not a Saturday, a Sunday, or a legal holiday, requesting that one or more acts, joint resolutions, or part or parts thereof, passed by the Legislature but not then in effect by reason of the provisions of the preceding section, be referred to the people, such acts or joint resolutions, or part or parts thereof, as are specified in such petition shall not take effect until 30 days after the Governor shall have announced by public proclamation that the same have been ratified by a majority of the electors voting thereon at a statewide or general election.



