

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

D

HOUSE DRH50269-LBx-54 (12/07)

Short Title: Three-Fifths Vote to Levy Taxes.

(Public)

Sponsors: Representative Blust.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE A
3 THREE-FIFTHS VOTE FOR THE GENERAL ASSEMBLY TO LEVY STATE TAXES.
4 The General Assembly of North Carolina enacts:

5 SECTION 1. Section 23 of Article II of the North Carolina Constitution reads as
6 rewritten:

7 "Sec. 23. Revenue bills.

8 (1) No law shall be enacted to raise money on the credit of the State, or to pledge the
9 faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon
10 the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the
11 purpose ~~shall have~~ has been read three ~~several~~ separate times in each house of the General
12 Assembly and passed three ~~several~~ separate readings, which readings ~~shall have been~~ were on
13 three different days, and ~~shall have~~ has been agreed to by each house respectively, and unless
14 the yeas and nays on the second and third readings of the bill ~~shall have~~ been entered on the
15 journal.

16 (2) No law shall be enacted to impose any tax upon the people of the State, except by an
17 act adopted by a vote of three-fifths of the members of each house of the General Assembly.
18 This subsection applies to laws increasing a tax rate and laws levying a new tax but not to a law
19 repealing or restricting a specific tax preference or a law authorizing one or more local taxing
20 units to levy a tax."

21 SECTION 2. The amendment set out in Section 1 of this act shall be submitted to
22 the qualified voters of the State at the general election in November 2012, which election shall
23 be conducted under the laws then governing elections in the State. Ballots, voting systems, or
24 both may be used in accordance with Chapter 163 of the General Statutes. The question to be
25 used in the voting systems and ballots shall be:

26 "[] FOR [] AGAINST

27 Constitutional amendment requiring at least a three-fifths vote of the General
28 Assembly to enact a law imposing a State tax."

29 SECTION 3. If a majority of the votes cast on the question are in favor of the
30 amendment set out in Section 1 of this act, the State Board of Elections shall certify the
31 amendment to the Secretary of State. The amendment becomes effective upon this
32 certification. The Secretary of State shall enroll the amendment so certified among the
33 permanent records of that office.

34 SECTION 2. This act is effective when it becomes law.

