

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 376

Short Title: Little Federal Model NC Edition. (Public)

Sponsors: Representatives Adams, Gillespie, Kidwell, and Carson Smith (Primary Sponsors).

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

Referred to: Election Law and Campaign Finance Reform, if favorable, Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

March 16, 2023

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT EACH SENATOR REPRESENTS TWO COUNTIES, TO PERMIT THE GENERAL ASSEMBLY TO REVISE THE SENATE DISTRICTS FROM TIME TO TIME, AND TO REQUIRE THAT THE STATE IS COMPOSED OF ONE HUNDRED COUNTIES.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 3 of Article II of the North Carolina Constitution reads as rewritten:

"Sec. 3. Senate districts; apportionment of Senators.

The Senators shall be elected from districts. The General Assembly, ~~at the first regular session convening after the return of every decennial census of population taken by order of Congress, from time to time,~~ shall revise the senate districts and the apportionment of Senators among those districts, subject to the following requirements:

(1) Each Senator shall ~~represent, as nearly as may be, an equal number of inhabitants, the number of inhabitants that each Senator represents being determined for this purpose by dividing the population of the district that he represents by the number of Senators apportioned to that district;~~ represent two counties;

(2) Each senate district shall at all times consist of contiguous territory;

(3) No county shall be divided in the formation of a senate district;

(4) ~~When established, the senate districts and the apportionment of Senators shall remain unaltered until the return of another decennial census of population taken by order of Congress."~~

SECTION 1.(b) Section 1 of Article VII of the North Carolina Constitution reads as rewritten:

"Section 1. General Assembly to provide for local government.

The General Assembly shall provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental ~~subdivisions, and, except subdivisions;~~ provided, however, that the number of counties in the State shall be 100. Except as otherwise prohibited by this Constitution, the General Assembly may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable.

The General Assembly shall not incorporate as a city or town, nor shall it authorize to be incorporated as a city or town, any territory lying within one mile of the corporate limits of any other city or town having a population of 5,000 or more according to the most recent decennial



1 census of population taken by order of Congress, or lying within three miles of the corporate
2 limits of any other city or town having a population of 10,000 or more according to the most
3 recent decennial census of population taken by order of Congress, or lying within four miles of
4 the corporate limits of any other city or town having a population of 25,000 or more according
5 to the most recent decennial census of population taken by order of Congress, or lying within
6 five miles of the corporate limits of any other city or town having a population of 50,000 or more
7 according to the most recent decennial census of population taken by order of Congress.
8 Notwithstanding the foregoing limitations, the General Assembly may incorporate a city or town
9 by an act adopted by vote of three-fifths of all the members of each house."

10 **SECTION 1.(c)** The amendments set out in subsections (a) and (b) of this section
11 shall be submitted to the qualified voters of the State at the general election in November 2024,
12 which election shall be conducted under the laws then governing elections in the State. Ballots,
13 voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The
14 question to be used in the voting systems and ballots shall be:

15 FOR AGAINST

16 A constitutional amendment providing that each senator in the North Carolina
17 General Assembly represents two counties, permitting the General Assembly to revise the Senate
18 districts from time to time, and requiring the State be composed of 100 counties."

19 **SECTION 1.(d)** If a majority of votes cast on the question are in favor of the
20 amendments set out in subsections (a) and (b) of this section, the State Board of Elections shall
21 certify the amendments to the Secretary of State. The Secretary of State shall enroll the
22 amendments so certified among the permanent records of that office. The amendments set out in
23 subsections (a) and (b) of this section are effective upon certification.

24 **SECTION 2.** This act is effective when it becomes law.