

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 856

Short Title: Const Amend: Legislative Terms/Compensation. (Public)

Sponsors: Senator Burgin (Primary Sponsor).

Referred to: Rules and Operations of the Senate

April 29, 2026

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO MODIFY THE
3 TERMS OF MEMBERS OF THE GENERAL ASSEMBLY, THE COMPENSATION OF
4 MEMBERS OF THE GENERAL ASSEMBLY, AND THE LENGTH OF THE SESSIONS
5 OF THE GENERAL ASSEMBLY.

6 The General Assembly of North Carolina enacts:

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8 **PART I. COMPENSATION AND ALLOWANCE MODIFICATIONS**

9 **SECTION 1.(a)** Section 16 of Article II of the Constitution of North Carolina reads
10 as rewritten:

11 "**Sec. 16. ~~Compensation-Limitations on compensation and allowances.~~**

12 (1) The members ~~and officers~~ of the General Assembly shall receive compensation for
13 their services ~~the compensation and allowances prescribed by law. An increase in the~~
14 ~~compensation or allowances of members shall become effective at the beginning of the next~~
15 ~~regular session of the General Assembly following the session at which it was enacted.~~that is
16 equal to the average annual starting salary of North Carolina public school teachers paid from
17 State funds as determined by the Superintendent of Public Instruction which pay shall begin on
18 July 1 of each fiscal year. The members of the General Assembly shall receive per diem,
19 subsistence, and travel reimbursement that is consistent with similar allowances for State
20 employees.

21 (2) The officers of the General Assembly who are not members of the General Assembly
22 shall receive for their services the compensation and allowances prescribed by law."

23 **SECTION 1.(b)** The amendment set out in subsection (a) of this section shall be
24 submitted to the qualified voters of the State at the statewide general election to be held on
25 November 3, 2026, which election shall be conducted in accordance with the laws governing
26 elections at that time. The question to be used in the voting systems and ballots shall be:

27 "[] FOR [] AGAINST

28 Constitutional amendment to set the annual salary for members of the General
29 Assembly in an amount that is equal to the average salary for classroom teachers and to set the
30 travel, subsistence, and per diem rates at the rates paid for State employees."

31 **SECTION 1.(c)** The State Board of Elections shall certify the results of the
32 referendum conducted under subsection (b) of this section. If a majority of votes cast on the
33 question are in favor of the amendment set out in subsection (a) of this section, the Secretary of
34 State shall enroll the amendment among the permanent records of that office. If a majority of
35 votes cast on the question are against the amendment set out in subsection (a) of this section, the
36 amendment shall have no effect.



1 **SECTION 1.(d)** If the certification from the State Board of Elections under
2 subsection (c) of this section reflects that a majority of votes cast on the question are in favor of
3 the amendment set out in subsection (a) of this section, the amendment set out in subsection (a)
4 of this section is effective upon certification.

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6 **PART II. CONSECUTIVE TERM LIMIT**

7 **SECTION 2.(a)** Article II of the Constitution of North Carolina is amended by
8 adding a new section to read:

9 **"Sec. 25. Limitation of consecutive terms.**

10 (1) No person shall be eligible to serve more than 16 consecutive years as a member of
11 the House of Representatives. A person disqualified by this section from election to the next
12 succeeding term as a member of the House of Representatives may not fill a vacancy in the House
13 of Representatives during that term.

14 (2) No person shall be eligible to serve more than 16 consecutive years as a member of
15 the Senate. A person disqualified by this section from election to the next succeeding term as a
16 member of the Senate may not fill a vacancy in the Senate during that term.

17 (3) Terms of office beginning before January 1, 2027, shall not be considered for the
18 purpose of this section."

19 **SECTION 2.(b)** The amendment set out in subsection (a) of this section shall be
20 submitted to the qualified voters of the State at the statewide general election to be held on
21 November 3, 2026, which election shall be conducted in accordance with the laws governing
22 elections at that time. The question to be used in the voting systems and ballots shall be:

23 "[] FOR [] AGAINST

24 Constitutional amendment limiting members of the General Assembly to no more
25 than 16 consecutive years in a chamber."

26 **SECTION 2.(c)** The State Board of Elections shall certify the results of the
27 referendum conducted under subsection (b) of this section. If a majority of votes cast on the
28 question are in favor of the amendment set out in subsection (a) of this section, the Secretary of
29 State shall enroll the amendment among the permanent records of that office. If a majority of
30 votes cast on the question are against the amendment set out in subsection (a) of this section, the
31 amendment shall have no effect.

32 **SECTION 2.(d)** If the certification from the State Board of Elections under
33 subsection (c) of this section reflects that a majority of votes cast on the question are in favor of
34 the amendment set out in subsection (a) of this section, the amendment set out in subsection (a)
35 of this section is effective upon certification.

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37 **PART III. INCREASE TERM LENGTH FOR SENATORS**

38 **SECTION 3.(a)** Section 2 of Article II of the Constitution of North Carolina reads
39 as rewritten:

40 **"Sec. 2. Number of Senators.**

41 The Senate shall be composed of 50 Senators, ~~biennially~~quadrennially chosen by
42 ~~ballot~~ballot beginning in 2028."

43 **SECTION 3.(b)** Section 8 of Article II of the Constitution of North Carolina reads
44 as rewritten:

45 **"Sec. 8. Elections.**

46 The election for members of the General Assembly shall be held for the respective districts
47 in ~~1972 and every two years thereafter, 2028,~~ at the places and on the day prescribed by law.
48 Thereafter, elections for members of the House of Representatives shall be held every two years
49 and elections for members of the Senate shall be held every four years."

50 **SECTION 3.(c)** Section 2(1) of Article III of the Constitution of North Carolina
51 reads as rewritten:

1 "(1) Election and term. The Governor and Lieutenant Governor shall be elected by the
2 qualified voters of the State in 1972 and every four years thereafter, at the same time and places
3 as members of the ~~General Assembly~~ Senate are elected. Their term of office shall be four years
4 and shall commence on the first day of January next after their election and continue until their
5 successors are elected and qualified."

6 **SECTION 3.(d)** Section 7 of Article III of the Constitution of North Carolina reads
7 as rewritten:

8 **"Sec. 7. Other elective officers.**

9 (1) Officers. A Secretary of State, an Auditor, a Treasurer, a Superintendent of Public
10 Instruction, an Attorney General, a Commissioner of Agriculture, a Commissioner of Labor, and
11 a Commissioner of Insurance shall be elected by the qualified voters of the State in 1972 and
12 every four years thereafter, at the same time and places as members of the ~~General Assembly~~
13 Senate are elected. Their term of office shall be four years and shall commence on the first day
14 of January next after their election and continue until their successors are elected and qualified.

15 ...

16 (3) Vacancies. If the office of any of these officers is vacated by death, resignation, or
17 otherwise, it shall be the duty of the Governor to appoint another to serve until his successor is
18 elected and qualified. Every such vacancy shall be filled by election at the first election for
19 members of the ~~General Assembly~~ House of Representatives that occurs more than 60 days after
20 the vacancy has taken place, and the person chosen shall hold the office for the remainder of the
21 unexpired term fixed in this Section. When a vacancy occurs in the office of any of the officers
22 named in this Section and the term expires on the first day of January succeeding the next election
23 for members of the ~~General Assembly~~, House of Representatives, the Governor shall appoint to
24 fill the vacancy for the unexpired term of the office.

25 "

26 **SECTION 3.(e)** Section 18(1) of Article IV of the Constitution of North Carolina
27 reads as rewritten:

28 "(1) District Attorneys. The General Assembly shall, from time to time, divide the State
29 into a convenient number of prosecutorial districts, for each of which a District Attorney shall be
30 chosen for a term of four years by the qualified voters thereof, at the same time and places as
31 members of the ~~General Assembly~~ Senate are elected. Only persons duly authorized to practice
32 law in the courts of this State shall be eligible for election or appointment as a District Attorney.
33 The District Attorney shall advise the officers of justice in his district, be responsible for the
34 prosecution on behalf of the State of all criminal actions in the Superior Courts of his district,
35 perform such duties related to appeals therefrom as the Attorney General may require, and
36 perform such other duties as the General Assembly may prescribe."

37 **SECTION 3.(f)** Section 19 of Article IV of the Constitution of North Carolina reads
38 as rewritten:

39 **"Sec. 19. Vacancies.**

40 Unless otherwise provided in this Article, all vacancies occurring in the offices provided for
41 by this Article shall be filled by appointment of the Governor, and the appointees shall hold their
42 places until the next election for members of the ~~General Assembly~~ House of Representatives
43 that is held more than 60 days after the vacancy occurs, when elections shall be held to fill the
44 offices. When the unexpired term of any of the offices named in this Article of the Constitution
45 in which a vacancy has occurred, and in which it is herein provided that the Governor shall fill
46 the vacancy, expires on the first day of January succeeding the next election for members of the
47 ~~General Assembly~~, House of Representatives, the Governor shall appoint to fill that vacancy for
48 the unexpired term of the office. If any person elected or appointed to any of these offices shall
49 fail to qualify, the office shall be appointed to, held and filled as provided in case of vacancies
50 occurring therein. All incumbents of these offices shall hold until their successors are qualified."

1 SECTION 3.(g) The amendments set out in subsections (a) through (f) of this section
2 shall be submitted to the qualified voters of the State at the statewide general election to be held
3 on November 3, 2026, which election shall be conducted in accordance with the laws governing
4 elections at that time. The question to be used in the voting systems and ballots shall be:

5 "[] FOR [] AGAINST

6 Constitutional amendment to increase the terms for Senators from two to four years."

7 SECTION 3.(h) The State Board of Elections shall certify the results of the
8 referendum conducted under subsection (g) of this section. If a majority of votes cast on the
9 question are in favor of the amendments set out in subsections (a) through (f) of this section, the
10 Secretary of State shall enroll the amendments among the permanent records of that office. If a
11 majority of votes cast on the question are against the amendments set out in subsections (a)
12 through (f) of this section, the amendments shall have no effect.

13 SECTION 3.(i) If the certification from the State Board of Elections under
14 subsection (h) of this section reflects that a majority of votes cast on the question are in favor of
15 the amendments set out in subsections (a) through (f) of this section, the amendments are
16 effective upon certification.

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18 PART IV. SESSION LENGTH LIMITATION

19 SECTION 4.(a) Section 11(1) of Article II of the Constitution of North Carolina
20 reads as rewritten:

21 "(1) Regular sessions.

22 (a) The General Assembly shall meet in regular session in 1973 and every two
23 years thereafter on the day prescribed by law.

24 (b) Odd-numbered years. – Beginning with the regular session in 2027, during an
25 odd-numbered year, the General Assembly shall remain in regular session for
26 no more than 120 calendar days, except that this period may be extended by
27 joint resolution once per regular session in an odd-numbered year for not more
28 than 10 calendar days. If the General Assembly, upon convening of the regular
29 session, meets initially for not more than two consecutive calendar days and
30 then adjourns for not less than 10 calendar days, that period of adjournment
31 shall be excluded from the 120 calendar days.

32 (c) Even-numbered years. – If the regular session meets in even-numbered years,
33 the General Assembly shall remain in regular session for no more than 90
34 calendar days, except that this period may be extended by joint resolution once
35 per regular session in an even-numbered year for not more than 10 calendar
36 days.

37 (d) Reconvened sessions called under Section 5 of Article III of this Constitution
38 and sessions required in response to orders of a court in which only matters
39 responding to the court order are considered shall be excluded from the
40 calculations of this section.

41 (e) Neither house shall proceed upon public business unless a majority of all of
42 its members are actually present.

43 (f) No valid action, other than a resolution of adjournment, may be taken by the
44 General Assembly in a regular session after the time limits prescribed in this
45 section have expired."

46 SECTION 4.(b) The amendment set out in subsection (a) of this section shall be
47 submitted to the qualified voters of the State at the statewide general election to be held on
48 November 3, 2026, which election shall be conducted in accordance with the laws governing
49 elections at that time. The question to be used in the voting systems and ballots shall be:

50 "[] FOR [] AGAINST

1 Constitutional amendment limiting the length of regular legislative sessions to 120
2 calendar days in odd-numbered years and 90 calendar days in even-numbered years."

3 **SECTION 4.(c)** The State Board of Elections shall certify the results of the
4 referendum conducted under subsection (b) of this section. If a majority of votes cast on the
5 question are in favor of the amendment set out in subsection (a) of this section, the Secretary of
6 State shall enroll the amendment among the permanent records of that office. If a majority of
7 votes cast on the question are against the amendment set out in subsection (a) of this section, the
8 amendment shall have no effect.

9 **SECTION 4.(d)** If the certification from the State Board of Elections under
10 subsection (c) of this section reflects that a majority of votes cast on the question are in favor of
11 the amendment set out in subsection (a) of this section, the amendment set out in subsection (a)
12 of this section is effective upon certification.

13 **PART V. SUSPENSION OF PAY WITHOUT BUDGET PASSAGE**

14 **SECTION 5.(a)** Section 16 of Article II of the Constitution of North Carolina reads
15 as rewritten:

16 **"Sec. 16. Compensation and allowances.**

17 The members and officers of the General Assembly shall receive for their services the
18 compensation and allowances prescribed by law. An increase in the compensation or allowances
19 of members shall become effective at the beginning of the next regular session of the General
20 Assembly following the session at which it was enacted. If the General Assembly fails to ratify
21 by June 30 a comprehensive budget of the anticipated revenue and proposed expenditures of the
22 State for the ensuing fiscal period, the compensation and allowances of the members of the
23 General Assembly from July 1 until the earlier of the ratification of the comprehensive budget or
24 the commencement of the next regular session shall be forfeited."

25 **SECTION 5.(b)** The amendment set out in subsection (a) of this section shall be
26 submitted to the qualified voters of the State at the statewide general election to be held on
27 November 3, 2026, which election shall be conducted in accordance with the laws governing
28 elections at that time. The question to be used in the voting systems and ballots shall be:

29 FOR AGAINST

30 Constitutional amendment to disallow the annual salary and other allowances for
31 members of the General Assembly if the General Assembly has not passed a budget by June 30
32 of a year for a period beginning July 1 and continuing until a budget is ratified or the term of the
33 Legislature ends, whichever occurs first."

34 **SECTION 5.(c)** The State Board of Elections shall certify the results of the
35 referendum conducted under subsection (b) of this section. If a majority of votes cast on the
36 question are in favor of the amendment set out in subsection (a) of this section, the Secretary of
37 State shall enroll the amendment among the permanent records of that office. If a majority of
38 votes cast on the question are against the amendment set out in subsection (a) of this section, the
39 amendment shall have no effect.

40 **SECTION 5.(d)** If the certification from the State Board of Elections under
41 subsection (c) of this section reflects that a majority of votes cast on the question are in favor of
42 the amendment set out in subsection (a) of this section, the amendment set out in subsection (a)
43 of this section is effective upon certification.

44 **PART VI. EFFECTIVE DATE**

45 **SECTION 6.** This act is effective when it becomes law.
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