



HOUSE BILL 4: Bipartisan Board of Ethics and Elections.

2017-2018 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	August 26, 2018
Introduced by:	Rep. Lewis	Prepared by:	Erika Churchill
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 4 would set forth an amendment to the North Carolina Constitution, to be voted on by the people on November 6, 2018, to establish a bipartisan board of ethics and elections enforcement, consisting of eight members appointed by the Governor.*

CURRENT LAW: In 2016, the General Assembly established the Bipartisan State Board of Elections and Ethics Enforcement (State Board) combining the functions of election laws and ethics under one executive branch board, and following litigation, again re-established the State Board in 2017. After subsequent litigation, the General Assembly again modified the structure of the State Board in 2018, and the board now consists of nine members, all appointed by the Governor, as follows:

- Four individuals registered with the political party with the highest number of registered affiliates in the State, from a list of six nominees submitted by the State party chair of that party.
- Four individuals registered with the political party with the second highest number of registered affiliates in the State, from a list of six nominees submitted by the State party chair of that party.
- One individual not registered with either the political party with the largest number of registered affiliates in the State or of the political party with the second-largest number of registered affiliates in the State, from a list of two nominees selected by the other eight members of the State Board.

BILL ANALYSIS:

Section 1 would amend the North Carolina Constitution to establish an eight member board to administer ethics and elections law, to be appointed by the Governor upon recommendation of the House and Senate majority and minority caucus leaders, if approved by the voters in November 2018. Each leader of the two political party caucuses with the most members in each chamber would recommend members. The Governor would be limited to recommending no more than two nominees from each political caucus leader. *Effective March 1, 2019, if approved by a majority of the voters in November 2018.*

Sections 2-4 would direct that the proposed constitutional amendment be submitted to the voters of the State at the general election in November 2018. If a majority of the votes cast are in favor of the proposal, the act directs the State Board to certify and the Secretary of State to enroll the amendment.

EFFECTIVE DATE: If approved by the voters in the November 2018 election, the amendment to the North Carolina Constitution would become effective March 1, 2019.

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