



HOUSE BILL 1074: Constitutional Amendment/Citizens-Only Voting.

2023-2024 General Assembly

Committee:		Date:	August 22, 2024
Introduced by:		Prepared by:	Jessica Sammons Staff Attorney
Analysis of:	S.L. 2024-18		

OVERVIEW: *S.L. 2024-18 places a proposed amendment to the North Carolina Constitution revising the language regarding citizenship and the eligibility to vote on the November 5, 2024, ballot. If approved by the voters in that election, the amendment to the North Carolina Constitution will become effective upon certification of the results of the referendum.*

CURRENT LAW: The Fourteenth Amendment of the United States Constitution provides, in part, the following:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside."

Federal law (8 U.S.C. Ch. 12) defines United States citizens to include individuals that are any of the following:

- Born in the United States.
- Born abroad to a parent who is a citizen meeting certain requirements.
- Otherwise naturalized under federal law.

Section 1 of Article VI of the North Carolina Constitution provides as follows:

"Section 1. Who may vote.

Every person born in the United States and every person who has been naturalized, 18 years of age, and possessing the qualifications set out in this Article, shall be entitled to vote at any election by the people of the State, except as herein otherwise provided."

Additionally, G.S. 163-55 statutorily sets forth qualifications to vote, providing, in part, the following:

"Every person born in the United States, and every person who has been naturalized, and who shall have resided in the State of North Carolina and in the precinct in which the person offers to vote for 30 days next preceding an election, shall, if otherwise qualified as prescribed in this Chapter, be qualified to vote in the precinct in which the person resides."

BILL ANALYSIS: This act submits to the voters of North Carolina the question of whether to amend the State's Constitution to revise the language relating to the citizenship qualification for voting. The ballot question will be considered at the statewide general election to be held on November 5, 2024, and the ballot question will read:

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

House Bill 1074

Page 2

"Constitutional amendment to provide that only a citizen of the United States who is 18 years of age and otherwise possessing the qualifications for voting shall be entitled to vote at any election in this State."

EFFECTIVE DATE: If approved by the voters in the November 2024 election, the amendment to the North Carolina Constitution will become effective upon certification of the results of the referendum.