



2023-2024 General Assembly

# HOUSE BILL 259: 2023 Appropriations Act, Sec. 27.5: Modify Constitutional Amendment Publication Process

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<b>Committee:</b>		<b>Date:</b>	January 10, 2024
<b>Introduced by:</b>		<b>Prepared by:</b>	Erika Churchill Staff Attorney
<b>Analysis of:</b>	Sec. 27.5 of S.L. 2023-134		

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**OVERVIEW:** Section 27.5 of S.L. 2023-134 places responsibility for preparation and distribution of summaries of proposed amendments to the North Carolina Constitution upon the Legislative Services Officer, effective July 1, 2023.

**CURRENT LAW:** Referenda questions on the ballot include proposed amendments to the NC Constitution, statewide bond referendums, local bond referendums, and other local measures. For proposed amendments to the North Carolina Constitution, the General Assembly establishes the wording of the proposed amendment and the ballot question for the referendum. When placed on the ballot, G.S. 163-165.6 requires that proposed constitutional amendments be designated only by the phrase "Constitutional Amendment" prior to setting forth the referendum question.

Established in 1983, the Constitutional Amendments Publication Commission is charged with preparing a summary explanation of proposed Constitutional amendments, revisions, or a new North Carolina Constitution in "simple and commonly used language." The summary must be prepared at least 75 days before the election. Once prepared, the summary is printed by the Secretary of State and sent, along with a news release, to each county board of elections. Copies are to be available to any registered voter or representative of the print or broadcast media making a request to the Secretary of State. The Secretary of State can make copies available in such additional manner as the Secretary may determine.

The Constitutional Amendments Publication Commission consists of the Secretary of State, the Attorney General, and the Legislative Services Commission Officer. A quorum is all three members. The chair of the Commission is the Secretary of State.

**BILL ANALYSIS:** Section 27.5 of S.L. 2023-134 disbands the Constitutional Amendments Publication Commission and places the responsibility for preparation and distribution of the summary explanation of each proposed Constitutional amendment upon the Legislative Services Officer.

**EFFECTIVE DATE:** This section became effective July 1, 2023.

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