



# HOUSE BILL 144: Elect SBE/Superintendent as SBE Chair.

2025-2026 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 19, 2026
<b>Introduced by:</b>	Reps. Blackwell, Torbett, Biggs, Willis	<b>Prepared by:</b>	Bryson Penley Staff Attorney
<b>Analysis of:</b>	Second Edition		

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**OVERVIEW:** *The First Edition of HB 144 would propose an amendment to the North Carolina Constitution to elect members of the State Board of Education and make the Superintendent of Public Instruction the chair and a voting member of the State Board of Education.*

**CURRENT LAW:** Article IX, Sec. 4 of the North Carolina Constitution sets the membership of the State Board of Education (State Board) to include the Lieutenant Governor, the Treasurer, and eleven members appointed by the Governor and confirmed by the General Assembly in joint session. Appointments to fill vacancies are made by the Governor and not subject to confirmation. The Superintendent of Public Instruction is the secretary and chief administrative officer of the State Board, but not a voting member.

Article II, Sec. 22 of the North Carolina Constitution exempts certain matters from veto consideration, including (i) the revision of districts for the Senate, House of Representatives, and Congress and (ii) amendments to the North Carolina Constitution.

**BILL ANALYSIS:** HB 144 would propose an amendment to the North Carolina Constitution that would make the following changes:

- The Superintendent of Public Instruction would become the chair of the State Board, in addition to being the chief administrative officer. Additionally, the Superintendent would become a voting member of the State Board.
- Members would no longer be appointed to the State Board. Instead, a number of members equal to the number of North Carolina's apportioned members of the U.S. House of Representatives would be elected from districts established by the General Assembly. These districts would not be subject to the Governor's veto. The elected members would serve staggered four-year terms, and vacancies would be filled in a manner established by law.

If the bill is adopted by three-fifths of all members of each house, the amendment would be submitted to the voters of the State at the general election held in November 2026. If a majority of the votes cast on the question favor the amendment, the State Board of Elections would certify the amendment to the Secretary of State, who would then enroll the amendment.

**EFFECTIVE DATE:** If the amendment is approved by the qualified voters, the amendment would become effective January 1, 2028, and would apply to terms of office beginning January 1, 2029. Except as otherwise provided, the bill would be effective when it becomes law.

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