

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 44

Short Title: Three-Fifths Vote to Levy Taxes. (Public)

Sponsors: Representatives Blust; Allred, Blackwood, Current, Dockham, Hilton, Holloway, Killian, Moore, Neumann, Samuelson, Setzer, and Starnes.

Referred to: Rules, Calendar, and Operations of the House.

February 4, 2009

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A
THREE-FIFTHS VOTE FOR THE GENERAL ASSEMBLY TO LEVY STATE TAXES.

The General Assembly of North Carolina enacts:

SECTION 1. Section 23 of Article II of the North Carolina Constitution reads as
rewritten:

"Sec. 23. Revenue bills.

(1) No law shall be enacted to raise money on the credit of the State, or to pledge the
faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon
the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the
purpose ~~shall have~~ has been read three ~~several~~ separate times in each house of the General
Assembly and passed three ~~several~~ separate readings, which readings ~~shall have been~~ were on
three different days, and ~~shall have~~ has been agreed to by each house respectively, and unless
the yeas and nays on the second and third readings of the bill ~~shall have~~ been entered on the
journal.

(2) No law shall be enacted to impose any tax upon the people of the State, except by an
act adopted by a vote of three-fifths of the members of each house of the General Assembly.
This subsection applies to laws increasing a tax rate and laws levying a new tax but not to a law
repealing or restricting a specific tax preference or a law authorizing one or more local taxing
units to levy a tax."

SECTION 2. The amendment set out in Section 1 of this act shall be submitted to
the qualified voters of the State at the general election in November 2010, which election shall
be conducted under the laws then governing elections in the State. Ballots, voting systems, or
both may be used in accordance with Chapter 163 of the General Statutes. The question to be
used in the voting systems and ballots shall be:

"[] FOR [] AGAINST

Constitutional amendment requiring at least a two-thirds vote of the General
Assembly to enact a law imposing a State tax."

SECTION 3. If a majority of the votes cast on the question are in favor of the
amendment set out in Section 1 of this act, the State Board of Elections shall certify the
amendment to the Secretary of State. The amendment becomes effective upon this
certification. The Secretary of State shall enroll the amendment so certified among the
permanent records of that office.

SECTION 4. This act is effective when it becomes law.

