

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 640
HOUSE BILL 471

1 AN ACT TO REWRITE ARTICLE II, SECTIONS 4, 5, AND 6 OF THE CONSTITUTION
2 OF NORTH CAROLINA, WITH RESPECT TO REPRESENTATION IN THE
3 GENERAL ASSEMBLY OF NORTH CAROLINA.
4

5 The General Assembly of North Carolina do enact:
6

7 **Section 1.** Article II of the Constitution of North Carolina is amended by rewriting
8 Section 4 thereof to read as follows:

9 "**Sec. 4. Senate Districts; Apportionment of Senators.** The Senators shall be elected from
10 districts. The General Assembly shall, at the first regular Session convening after the return of
11 every decennial enumeration taken by order of Congress, revise the Senate Districts and the
12 apportionment of Senators among those districts, subject to the following requirements:

13 "(1) Each Senator shall represent, as nearly as may be, an equal number of inhabitants,
14 the number of inhabitants which each Senator represents being determined for this purpose by
15 dividing the population of the district he represents by the number of Senators apportioned to
16 that district;

17 "(2) Each Senate District shall at all times consist of contiguous territory;

18 "(3) No county shall be divided in the formation of a Senate District;

19 "(4) When established, the Senate Districts and the apportionment of Senators shall
20 remain unaltered until the return of another decennial enumeration taken by order of Congress

21 "The duty imposed upon the General Assembly by this Section shall continue until
22 performed."

23 **Sec. 2.** Article II of the Constitution of North Carolina is amended by rewriting
24 Section 5 thereof to read as follows:

25 "**Sec. 5. Number of Representatives.** The House of Representatives shall be composed of 120
26 Representatives, biennially chosen by ballot."

27 **Sec. 3.** Article II of the Constitution of North Carolina is amended by rewriting
28 Section 6 thereof to read as follows:

29 "**Sec. 6. Representative Districts; Apportionment of Representatives.** The Representatives
30 shall be elected from districts. The General Assembly shall, at the first regular Session
31 convening after the return of every decennial enumeration taken by order of Congress, revise
32 the Representative Districts and the apportionment of Representatives among those districts,
33 subject to the following requirements:

34 "(1) Each Representative shall represent, as nearly as may be, an equal number of
35 inhabitants, the number of inhabitants which each Representative represents being determined
36 for this purpose by dividing the population of the district he represents by the number of
37 Representatives apportioned to that district;

38 "(2) Each Representative District shall at all times consist of contiguous territory;

39 "(3) No county shall be divided in the formation of a Representative District;

40 "(4) When established, the Representative Districts and the apportionment of
41 Representatives shall remain unaltered until the return of another decennial enumeration taken
42 by order of Congress.

1 "The duty imposed upon the General Assembly by this Section shall continue until
2 performed."

3 **Sec. 4.** Article II of the Constitution of North Carolina is amended by rewriting
4 Section 13 thereof to read as follows:

5 "**Sec. 13. Vacancies.** Every vacancy occurring in the membership of the General Assembly by
6 reason of death, resignation, or other cause shall be filled in the manner prescribed by law."

7 **Sec. 5.** Article II of the Constitution of North Carolina is amended by striking from
8 Section 8 thereof the word "county" and inserting in lieu thereof the word "district".

9 **Sec. 6.** Article II of the Constitution of North Carolina is amended by striking from
10 Section 27 thereof the words "and counties," as they appear in the first sentence of that Section.

11 **Sec. 7.** The amendments set out in Sections 1 through 6 of this Act shall be
12 submitted as a unit to the qualified voters of the State at the next general election. That election
13 shall be conducted under the laws then governing general elections in this State.

14 **Sec. 8.** At that election, the qualified voters favoring the amendments set out in
15 Sections 1 through 6 of this Act shall vote ballots on which shall be printed or written the
16 words:

17 "FOR constitutional amendments continuing present system of representation in the
18 General Assembly." and those voters opposed shall vote ballots on which shall be printed or
19 written the words:

20 "AGAINST constitutional amendments continuing present system of representation in the
21 General Assembly."

22 **Sec. 9.** If a majority of the votes cast thereon be in favor of the amendments set out
23 in Sections 1 through 6 of this Act, the Governor shall certify those amendments under the
24 Great Seal of the State to the Secretary of State, who shall enroll those amendments so certified
25 among the permanent records of his office, and the amendments shall become effective upon
26 that certification.

27 **Sec. 10.** All laws and clauses of laws in conflict with this Act are repealed.

28 **Sec. 11.** This Act shall become effective upon its ratification.

29 In the General Assembly read three times and ratified, this the 31st day of May,
30 1967.