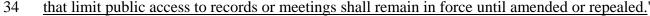
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2011

Η

HOUSE BILL 87 PROPOSED COMMITTEE SUBSTITUTE H87-PCS70097-RC-9

	Short Title: Sunshine Amendment. (Public)
	Sponsors:
	Referred to:
	February 14, 2011
1	A BILL TO BE ENTITLED
2	AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE
3	NORTH CAROLINA CONSTITUTION.
4	The General Assembly of North Carolina enacts:
5	SECTION 1. Article XIV of the North Carolina Constitution is amended by adding
6	a new section to read:
7	"Sec. 6. Access to public records and meetings.
8	(1) Every person has the right to inspect or copy any public record made or received in
9	connection with the official business of any agency, public officer, or official of the State, or
10	persons acting on their behalf, except with respect to records exempted pursuant to this Section.
11	This Section specifically includes the legislative and executive branches of government and
12	each agency or department created thereunder; counties, municipalities, governmental
13	subdivisions, units of local government, and special districts; and every office, board,
14	commission, or entity created pursuant to law or this Constitution.
15	(2) <u>All meetings of any public body of the executive branch of State government or of</u>
16	any public body of a county, municipality, governmental subdivision, unit of local government.
17	or special district at which official acts are to be taken or at which public business of such body
18	is to be transacted or discussed shall be open and noticed to the public, and meetings of either
19	house of the General Assembly shall be open and public notice given as provided by law,
20	except with respect to meetings exempted pursuant to this Section.
21	(3) This Section is self-executing. The General Assembly, however, may provide by
22	general law passed by a three-fifths vote of the members present and voting of each house for the example of records from the requirements of subsection (1) of this Section and the
23 24	the exemption of records from the requirements of subsection (1) of this Section and the exemption of meetings from the requirements of subsection (2) of this Section, provided that
24 25	such law shall state with specificity the public necessity justifying the exemption and shall be
25 26	no broader than necessary to accomplish the stated purpose of the law. The General Assembly
20 27	shall enact laws governing the enforcement of this Section, including the maintenance, control.
28	destruction, disposal, and disposition of records made public by this Section, except that each
20 29	house of the General Assembly may adopt rules governing the enforcement of this Section in
30	relation to records of that house. Laws enacted pursuant to this subsection shall contain only
31	exemptions from the requirements of subsection (1) or (2) of this Section and provisions
32	governing the enforcement of this Section and shall relate to one subject.
33	(4) All statutes, rules, case law, and common law that are in effect on January 1, 2013.
~ ~	<u> </u>





D

General Assembly Of North Carolina

1 SECTION 2. The amendments set out in Section 1 of this act shall be submitted to 2 the qualified voters of the State at the statewide general election on November 6, 2012, which 3 election shall be conducted under the laws then governing elections in the State. Ballots, 4 voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. 5 The question to be used in the voting systems and ballots shall be:

6

"[] FOR [] AGAINST

7 Constitutional amendments providing that all State and local government public 8 records are open to inspection and copying, and all State and local government meetings are 9 open to the public, subject in either case to general law passed by three-fifths vote in each 10 house of the General Assembly providing for exemptions in case of public necessity."

11 SECTION 3. If a majority of votes cast on the question are in favor of the 12 constitutional amendment set out in this act, the State Board of Elections shall certify the 13 amendment to the Secretary of State. The constitutional amendment is effective upon 14 certification. The Secretary of State shall enroll the amendments so certified among the 15 permanent records of that office.

16

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