

§ 143B-1209.51. Criminal record checks for employees of county boards of elections.

(a) As used in this section, the term:

- (1) "Current or prospective employee" means a current or prospective permanent or temporary employee of a county board of elections.
- (2) "State Board" means the State Board of Elections.

(b) The State Bureau of Investigation may provide to a county board of elections a current or prospective employee's criminal history from the State and National Repositories of Criminal Histories. The county board of elections shall provide to the Bureau, along with the request, the fingerprints of the current or prospective employee, a form signed by the current or prospective employee consenting to the criminal record check and use of fingerprints and other identifying information required by the State and National Repositories, and any additional information required by the Bureau. The fingerprints of the current or prospective employee shall be used for a search of the State's criminal history record file, and the Bureau shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check.

(c) The Bureau may charge a fee to offset the cost incurred by it to conduct a criminal record check under this section. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information.

(d) The criminal history report shall be provided to the county board of elections, who shall keep all information obtained pursuant to this section confidential to the county board of elections, the county director of elections, the State Board, and the Executive Director of the State Board. A criminal history report obtained as provided in this section is not a public record under Chapter 132 of the General Statutes. (2018-13, s. 1(b); 2018-146, s. 1; recodified from N.C. Gen. Stat. 143B-970 by 2023-134, s. 19F.4(i), (j).)