

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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SENATE BILL 539

Short Title: Jury List/Date of Birth Information. (Public)

Sponsors: Senators Clodfelter and Tarte (Primary Sponsors).

Referred to: Judiciary I.

April 1, 2013

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ADMINISTRATIVE OFFICE OF THE COURTS TO OBTAIN ACCESS TO DATE OF BIRTH INFORMATION FOR PURPOSES OF ADDING A UNIQUE IDENTIFIER THAT CAN BE USED TO REMOVE DUPLICATE JUROR RECORDS WHEN PREPARING THE MASTER JURY LIST.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-82.10B reads as rewritten:

"§ 163-82.10B. Confidentiality of date of birth.

Boards of elections shall keep confidential the date of birth of every voter-registration applicant and registered voter, except in the following situations:

- (1) When a voter has filed notice of candidacy for elective office under G.S. 163-106, 163-122, 163-123, or 163-294.2, or 163-323, has been nominated as a candidate under G.S. 163-98 or G.S. 163-114, or has otherwise formally become a candidate for elective office. The exception of this subdivision does not extend to an individual who meets the definition of "candidate" only by beginning a tentative candidacy by receiving funds or making payments or giving consent to someone else to receive funds or transfer something of value for the purpose of exploring a candidacy.
- (2) When a voter is serving in an elective office.
- (3) When a voter has been challenged pursuant to Article 8 of this Chapter.
- (4) When a voter-registration applicant or registered voter expressly authorizes in writing the disclosure of that individual's date of birth.
- (5) When requested by the Administrative Office of the Courts for purposes of preparing the master jury list in judicial districts.

The disclosure of an individual's age does not constitute disclosure of date of birth in violation of this section.

The county board of elections shall give precinct officials access to a voter's date of birth where necessary for election administration, consistent with the duty to keep dates of birth confidential.

Disclosure of a date of birth in violation of this section shall not give rise to a civil cause of action. This limitation of liability does not apply to the disclosure of a date of birth in violation of this subsection as a result of gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable."

SECTION 2. This act is effective when it becomes law.

