

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 24

Short Title: Ensure Student Safety at School Voting Sites. (Public)

Sponsors: Representatives Lambeth and Zachary (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Elections and Ethics Law, if favorable, Education - K-12, if favorable, Rules,
Calendar, and Operations of the House

February 6, 2019

A BILL TO BE ENTITLED
AN ACT TO ENSURE STUDENT SAFETY WHEN SCHOOLS ARE USED AS VOTING
SITES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-47 is amended by adding a new subdivision to read:

"(64) To Authorize Use of a School as a Voting Place with Safety Plans. – Upon request from the local board of elections, a local board of education may, but is not required to, consent to the use of a school as a voting place. If the local board of education consents to the request, the local board of education shall develop a safety plan that the local board of elections shall follow to ensure the security of students at the school while the building is being used as a voting place."

SECTION 2. G.S. 163A-1046(a) reads as rewritten:

"(a) At the voting place in each precinct established under the provisions of G.S. 163A-1045, the county board of elections shall provide or procure by lease or otherwise a suitable structure or part of a structure in which registration and voting may be conducted. To this end, the county board of elections shall be entitled to demand and use any ~~school or other~~ State, county, or municipal ~~building~~building other than a school titled to a local board of education, or a part thereof, or any other building, or a part thereof, which is supported or maintained, in whole or in part by or through tax revenues provided, however, that this section shall not be construed to permit any board of elections to demand and use any tax exempt church property for such purposes without the express consent of the individual church involved, for the purpose of conducting registration and voting for any primary or election, and it may require that the requisitioned premises, or a part thereof, be vacated for these purposes. The board of elections may submit a request to a local board of education for the use of a school, but may not use the property without the consent of the local board of education and compliance with the required safety plan, as provided in G.S. 115C-47(64)."

SECTION 3. G.S. 163A-1303(b) reads as rewritten:

"(b) The State Board shall not approve, either in a Plan approved unanimously by a county board of elections or in an alternative Plan proposed by a member or members of that board, a one-stop site in a building that the county board of elections is not entitled under G.S. 163A-1046 to demand and use as an election-day voting place, unless the State Board finds that other equally suitable sites were not available and that the use of the sites chosen will not unfairly advantage or disadvantage geographic, demographic, or partisan interests of that county. In providing the



1 site or sites for one-stop absentee voting under G.S. 163A-1300, 163A-1302, this section, and
2 G.S. 163A-1304, the county board of elections shall make a request to the State, county, city,
3 local school board, or other entity in control of the building that is supported or maintained, in
4 whole or in part, by or through tax revenues at least 90 days prior to the start of one-stop absentee
5 voting under these sections. The request shall clearly identify the building, or any specific portion
6 thereof, requested the dates and times for which that building or specific portion thereof is
7 requested and the requirement of an area for election related activity. If the State, local governing
8 board, or other entity in control of the building does not respond to the request within 20 days,
9 the building or specific portion thereof may be used for one-stop absentee voting as stated in the
10 request. If the State, local governing board, or other entity in control of the building or specific
11 portion thereof responds negatively to the request within 20 days, that entity and the county board
12 of elections shall, in good faith, work to identify a building or specific portion thereof in which
13 to conduct one-stop absentee voting under G.S. 163A-1300, 163A-1302, this section, and
14 G.S. 163A-1304. If the building is a school titled to a local board of education, the property may
15 not be used without the consent of the local board of education and compliance with the required
16 safety plan, as provided in G.S. 115C-47(64). If no building or specific portion thereof has been
17 agreed upon within 45 days from the date the county board of elections received a response to
18 the request, the matter shall be resolved by the State Board."

19 **SECTION 4.** This act becomes effective July 1, 2019, and applies to all elections
20 conducted on or after that date.