

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 369

Short Title: Election Observer Bill of Rights. (Public)

Sponsors: Representative Speciale.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

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

March 18, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A BILL OF RIGHTS FOR ELECTION OBSERVERS.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 163A-821(c) reads as rewritten:

5 "(c) An observer shall do no electioneering at the voting place, and shall in no manner
6 impede the voting process or interfere or communicate with or observe any voter in casting a
7 ballot, but, subject to these ~~restrictions,~~ specified rights, the chief judge and judges of elections
8 shall permit the observer to make such observation and take such notes as the observer may
9 desire. Election observers shall have the explicit right to:

10 (1) Begin observation duties from the time the judge enters the polling location
11 until all ballot containers are officially sealed and the voting enclosure is
12 secured for the day.

13 (2) Hear the name and address of each voter when the voter first announces the
14 voter's name at the initial check-in table and ask any election official to repeat
15 the name or address of the voter if the observer was unable to hear the voter's
16 name or address when it was initially announced.

17 (3) Observe curbside voting and hear the name or address of the voter as it is
18 announced and to ask any election official to repeat the name or address of the
19 voter if the observer is unable to hear the voter's name or address when
20 initially announced.

21 (4) Traverse freely between the curbside voting area and the voting enclosure
22 throughout the curbside voting process.

23 (5) Observe curbside voting at such a distance as to enable the observer to hear
24 any instruction or verbal communication between the election assistant and
25 the curbside voter. However, the election observer shall not stand within five
26 feet of the curbside voter's vehicle.

27 (6) Keep in view any and all ballot boxes until after the ballot boxes are sealed at
28 the end of the day.

29 (7) Only be expelled by a chief judge for cause, in writing. The written notice of
30 expulsion shall be signed by the chief judge and at least one other judge
31 assigned to that precinct before the expulsion notice may be lawfully served
32 on the observer."

33 **SECTION 2.** This act is effective when it becomes law and applies to observations
34 for elections held on or after that date.



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