

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 1075

Short Title: Const. Amend./Right to Access Public Records. (Public)

Sponsors: Representatives Harrison, Staton-Williams, Prather, and Longest (Primary Sponsors).

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

Referred to: Rules, Calendar, and Operations of the House

June 5, 2024

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO ESTABLISH THE  
RIGHT OF ACCESS TO PUBLIC RECORDS AND MEETINGS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article I of the North Carolina Constitution is amended by adding a new section to read:

**"Sec. 39. Access to public records and meetings.**

(1) The people of North Carolina have the right of access to information concerning the conduct of the people's business. Public records are the property of the people. Meetings of public bodies should be open to the people. The records made, transmitted, or received by public officials and agencies, including the executive, legislative, and judicial branches of State government, and all bodies of local government, shall be open to public inspection, examination, and duplication. The meetings of all State and local public bodies shall be open to the public.

(2) A statute, regulation, ordinance, rule, or other legal authority shall not limit the right of access to the meetings of public bodies and the records of public officials and agencies unless the public bodies, officials, or agencies can demonstrate that (i) a compelling public interest is protected by the limitation and (ii) the limitation is narrowly tailored to protect the public interest."

**SECTION 2.** The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the statewide general election held on November 5, 2024, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"[ ] FOR [ ] AGAINST

Constitutional amendment establishing the right of access to public records and meetings."

**SECTION 3.** If a majority of the votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the Secretary of State. The Secretary of State shall enroll the amendment so certified among the permanent records of that office. The amendment set out in Section 1 of this act becomes effective upon certification.

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

