



HOUSE JOINT RESOLUTION 330: Federal Authority Regarding Elections.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 26, 2021
Introduced by:	Reps. Iler, Hardister, D. Hall, Stevens	Prepared by:	Erika Churchill and Hillary Woodard
Analysis of:	PCS to First Edition H330-CSCH-12		Committee Co-counsel

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Joint Resolution 330 would express the members of the General Assembly's opposition to any federal action infringing upon the State's Constitutional authority to manage, control, and administer elections, effective upon ratification.*

CURRENT LAW: Article I, Section 4, Clause 1, of the U.S. Constitution states:

"The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of [choosing] Senators."

BILL ANALYSIS: The PCS for House Joint Resolution 330 would outline the members of the General Assembly's opposition to any federal action that interferes with the state's constitutional authority to manage, control, and administer elections. It would also express opposition to H.R. 1 and implore members of Congress to oppose H.R. 1.

The PCS for House Joint Resolution 330 would also require the Secretary of State to transmit copies of the application to the President, Speaker of the U.S. House of Representatives, President Pro Tempore of the U.S. Senate, the Minority Leaders of the U.S. Senate and House of Representatives, each member of North Carolina's congressional delegation, and to the presiding officers of both houses of the legislature of each state.

EFFECTIVE DATE: Effective upon ratification.

BACKGROUND: House Resolution 1, For the People Act of 2021 (H.R. 1), was introduced in Congress on January 4, 2021. According to the congressional website, H.R. 1 addresses the following:

- Voter access. – Expands voter registration (automatic and same-day registration) and voting access (vote-by-mail and early voting), and limits voter purging.
- Independent redistricting commissions. – Requires states to establish independent commissions to conduct congressional redistricting.
- Election integrity and security.—Requires intelligence information be shared with state election officials, provides support for states in securing their election systems, develops a national strategy to protect U.S. democratic institutions, creates the National Commission to Protect United States Democratic Institutions in the legislative branch, and establishes other provisions designed to improve the cybersecurity of election systems.

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- Campaign finance. – Expands the prohibition on campaign spending by foreign nationals, requires additional disclosure of campaign-related fundraising and spending, requires additional disclaimers regarding certain political advertising, and establishes an alternative campaign funding system for certain federal offices.
- Ethics. – Requires a code of conduct for Supreme Court Justices; prohibits members of the House of Representatives from serving on the board of a for-profit entity; establishes additional conflict-of-interest and ethics provisions for federal employees and the White House; and requires the President, Vice President, and certain candidates for those offices to disclose 10 years of tax returns.