

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 605
Committee Substitute Favorable 4/21/21
PROPOSED COMMITTEE SUBSTITUTE H605-CSBK-4 [v.4]
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Short Title: Voters Right to Know Act.

(Public)

Sponsors:

Referred to:

April 20, 2021

A BILL TO BE ENTITLED
AN ACT TO EQUIP VOTERS WITH RESOURCES AND INFORMATION ABOUT THE
VOTING PROCESS PRIOR TO ENTERING THE VOTING PLACE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-166.7A reads as rewritten:

"§ 163-166.7A. Voter education and information.

(a) ~~Posting the Information.~~ Voter Education Information. – For each election that involves candidates for federal or State office, each county board of elections shall post at each active voting place the following information in a manner and format approved by the ~~State Board of Elections.~~ State Board:

- (1) A sample ballot as required by ~~163-165.2.~~ G.S. 163-165.2.
- (2) The date of the election and the hours the voting place will be open.
- (3) Instructions on how to vote, including how to cast a vote or correct a vote on the voting systems available for use in that voting place.
- (4) Instructions on how to cast a provisional ballot.
- (5) Instructions to mail-in registrants and first-time voters on how to comply with the requirements in section 303(b) of the Help America Vote Act of 2002 concerning voter identifications.
- (6) General information on voting rights under applicable federal and State law, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if the voter believes those rights have been violated.
- (7) General information on federal and State laws that prohibit acts of fraud and misrepresentation as to voting and elections.

(b) Intent. – The posting required by subsection (a) of this section is intended to meet the mandate of the voting information requirements in section 302(b) of the Help America Vote Act of 2002.

(c) Placard Containing Voter Education Information. – In addition to the requirements in subsection (a) of this section, for each election that involves candidates for federal or State office, the State Board shall develop the placard as required by this subsection and ensure that it is prominently displayed at the entrance to each voting place during all hours the site is open for voting during one-stop absentee voting and on Election Day. At a minimum, the placard shall be specific to that election and shall contain the following information:

- (1) The right to vote.
- (2) Who is eligible to vote in that election.



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- (3) The option for an individual who is not registered to vote in the county to register to vote and cast an absentee ballot in person at a one-stop absentee voting site.
- (4) For a primary election, the right for voters registered with a political party to participate in the primary election for that political party and the right for voters registered as unaffiliated to participate in the primary election for a political party of their choosing if the political party allows unaffiliated voters to participate in its primary.
- (5) For a second primary election, the right for voters who were registered with a political party at the time of the first primary election to participate in the second primary election for that political party and the right for voters registered as unaffiliated to participate in the second primary election for a political party, if the political party allows unaffiliated voters to participate in its primary and if the voter did either of the following:
- a. Participated in the first primary election for that political party.
- b. Did not participate in the first primary election.
- (6) For a general election, the right of all registered voters to participate in that election and the right to vote for any candidate appearing on the ballot in that election, regardless of the registered voter's party affiliation or unaffiliated status.
- (7) The right to vote a provisional official ballot under Article 14A of Chapter 163 of the General Statutes and how to track the voted provisional ballot.
- (8) A statement indicating that no person may photograph, videotape, or otherwise record the image of a voted official ballot, as provided in G.S. 163-166.3, and that voters may not use a phone or electronic device to electronically communicate with anyone while in the voting place.
- (9) A statement indicating that voters may bring electronic or paper voting guides, notes, and informational materials inside the voting booth.
- (10) The State Board's toll-free telephone number, website, and quick response (QR) barcode, as required by G.S. 163-22(b), with a statement indicating the voter may access the State Board's website for more information on voting.
- (d) The State Board shall conduct training programs for the staff of the county boards of elections on the items described in subsection (c) of this section. This training shall be conducted at least 90 days before the beginning of each voting period and may be conducted virtually."

SECTION 2. Article 24 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-307. Voter education information.

(a) For each election held in and for any municipality, special district, or school administrative unit pursuant to this Subchapter, the respective county board of elections shall post at each active voting place the information described in G.S. 163-166.7A(a) in a manner and format approved by the State Board.

(b) For each election held in and for any municipality, special district, or school administrative unit pursuant to this Subchapter, the State Board shall ensure that a placard is prominently displayed at the entrance to each active voting place, during all hours the site is open for voting during any one-stop absentee voting and on Election Day, containing information on the right to vote and how to vote. At a minimum, the placard shall contain the information described in G.S. 163-166.7A(c).

(c) The State Board shall provide training in accordance with G.S. 163-166.7A(d)."

SECTION 3. G.S. 163-22 reads as rewritten:

"§ 163-22. Powers and duties of State Board of Elections.

...

(b) From time to time, the State Board shall publish and furnish to the county boards of elections and other election officials a sufficient number of indexed copies of all election laws and State Board rules and regulations then in force. It shall also publish, issue, and distribute to the electorate such materials explanatory of primary and election laws and procedures as the State Board shall deem necessary. In order to effectively educate the electorate on the primary and election laws and procedures, the State Board shall do all of the following:

(1) Establish and maintain a webpage on the State Board's website containing a list of frequently asked questions and answers with information on the right to vote, registering to vote, absentee voting, and voting in person, including any applicable deadline and time frame. The State Board shall review and update this list of frequently asked questions at least 90 days before the beginning of each voting period, and as needed throughout the voting period, to ensure the information is accurate for that election.

(2) Establish a toll-free telephone number for citizens of the State to call with questions regarding voting. This telephone shall be staffed by an employee of the State Board and be operated, at a minimum, during the following times:

a. Beginning with the first day voting places are open pursuant to G.S. 163-227.2(b) through the Monday prior to Election Day, from 8:00 A.M. until 8:00 P.M. each calendar day.

b. On Election Day, from 6:30 A.M. to 8:00 P.M.

(3) Establish a quick response (QR) barcode that can be scanned by a mobile phone and links to a webpage on the State Board's website containing the information required in subdivision (1) of this subsection. The State Board shall ensure that mailings or voter guides produced by the State Board or a county board of elections and sent to voters contains this quick response (QR) barcode.

(c) ~~The State Board of Elections~~ shall appoint, in the manner provided by law, all members of the county boards of elections and advise them as to the proper methods of conducting primaries and ~~elections~~. elections, including voter education information, as described in G.S. 163-166.7A. The State Board shall require such reports from the county boards and election officers as are provided by law, or as are deemed necessary by the State Board, and shall compel observance of the requirements of the election laws by county boards of elections and other election officers. In performing these duties, the State Board shall have the right to hear and act on complaints arising by petition or otherwise, on the failure or neglect of a county board of elections to comply with any part of the election laws imposing duties upon such a board. The ~~State Board of Elections~~ shall have power to remove from office any member of a county board of elections for incompetency, neglect or failure to perform duties, fraud, or for any other satisfactory cause. Before exercising this power, the State Board shall notify the county board member affected and give that member an opportunity to be heard. When any county board member shall be removed by the ~~State Board of Elections~~, Board, the vacancy occurring shall be filled by the ~~State Board of Elections~~, Board.

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SECTION 4. This act becomes effective October 1, 2021, and applies to elections held on or after that date.