

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 1159

Short Title: Access to Voted Ballots. (Public)

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

Referred to: Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House

June 1, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY ACCESS TO VOTED BALLOTS.

3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 163-165.1 reads as rewritten:

5 "§ 163-165.1. Scope and general rules.

6 (a) Scope. – This Article shall apply to all elections in this State.

7 (b) Requirements of Official Ballots in Voting. – In any election conducted under this
8 Article:

9 (1) All voting shall be by official ballot.

10 (2) Only votes cast on an official ballot shall be counted.

11 (c) Compliance With This Article. – All ballots shall comply with the provisions of this
12 Article.

13 (d) Other Uses Prohibited. – An official ballot shall not be used for any purpose not
14 authorized by this Article.

15 (e) Access to Voted Ballots. – Voted ~~ballots-ballots~~, and any paper and electronic records
16 ~~of-associated with those individual voted ballots-ballots~~, shall be treated as confidential, and no
17 person other than elections officials performing their duties may have access to ~~voted ballots-or~~
18 ~~paper-or-electronic-records-of-individual-voted-ballots-those documents~~ except by as follows:

19 (1) By court order or order.

20 (2) By order of the appropriate board of elections as part of the resolution of an
21 election protest or investigation of an alleged election irregularity or violation.

22 (3) By response to a public records request for all voted ballots of a precinct, ward,
23 county, or city. Voted ~~ballots-ballots~~, and paper and electronic records of
24 individual voted ~~ballots-ballots~~, shall not be ~~disclosed to members of the~~
25 ~~public in such a way as to disclose how a particular voter voted, unless a court~~
26 ~~orders otherwise.~~ voted and shall be redacted of any information identifying
27 an individual voter.

28 (f) Violation. – Any person who has access to an official voted ballot or record and
29 knowingly discloses in violation of subsection (e) of this section how an individual has voted
30 that ballot is guilty of a Class 1 misdemeanor."

31 SECTION 2. This act is effective when it becomes law.

