

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 716

Short Title: Poll Worker Discharge.

(Public)

Sponsors: Senators Kinnaird; Ballance, Carter, Gulley, Martin of Guilford, and Warren.

Referred to: Judiciary II.

March 28, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES,
3 AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS
4 JURORS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 5 of Chapter 163 of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 163-41.2. Discharge of precinct official unlawful.**

9 (a) No employer may discharge or demote any employee because the employee
10 has been appointed as a precinct official, or is serving as a precinct official.

11 (b) Any employer who violates any provision of this section shall be liable in a
12 civil action for reasonable damages suffered by an employee as a result of the violation,
13 and an employee discharged or demoted in violation of this section shall be entitled to
14 be reinstated to that employee's former position. The burden of proof shall be upon the
15 employee.

16 (c) The statute of limitations for actions under this section shall be one year
17 pursuant to G.S. 1-54.

18 (d) As used in this section, 'precinct official' has the same meaning as in G.S.
19 163-41(a)."

20 **SECTION 2.** This act becomes effective August 1, 2001.