

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H.B. 948
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HOUSE PRINCIPAL CLERK

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HOUSE DRH60125-LB-452 (05/10)

Short Title: Repeal Literacy Test.

(Public)

Sponsors: Representative K. Alexander.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REPEAL THE LITERACY TEST FOR VOTERS.

3 Whereas, Section 4 of Article VI of the North Carolina Constitution provides that
4 "Every person presenting himself for registration shall be able to read and write any section of
5 the Constitution in the English language"; and

6 Whereas, Chapter 1004 of the Session Laws of 1969 proposed repealing this
7 section; and

8 Whereas, the voters defeated that constitutional amendment at the polls in 1970; and

9 Whereas, the Congress of the United States, in Section 201 of the Voting Rights Act
10 of 1965, as amended by the Voting Rights Act Amendments of 1975, prohibited states from
11 enforcing such requirements in federal, state, and local elections; and

12 Whereas, the Congress of the United States provided in 1993 that voters in federal
13 elections may register to vote by mail and may not be required to register to vote in person;

14 Now, therefore,

15 The General Assembly of North Carolina enacts:

16 **SECTION 1.** Section 4 of Article VI of the Constitution of North Carolina is
17 repealed.

18 **SECTION 2.** The amendment set out in Section 1 of this act shall be submitted to
19 the qualified voters of the State at a statewide election to be held on the date of the statewide
20 general election in November 2012, which election shall be conducted under the laws then
21 governing elections in the State. Ballots, voting systems, or both may be used in accordance
22 with Chapter 163 of the General Statutes. The question to be used in the voting systems and
23 ballots shall be:

24 "[] FOR [] AGAINST

25 Constitutional amendment to repeal the requirement that persons present themselves
26 for voter registration and read and write a section of the Constitution, both of which
27 requirements have been prohibited by federal law."

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

32 **SECTION 4.** The amendment set out in Section 1 of this act is effective upon
33 certification.

34 **SECTION 5.** This act is effective when it becomes law.

